THE LOUISIANA HISTORICAL QUARTERLY

Vol. 8, No. 3 July, 1925

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"A B[illegible] Dear"

[illegible] Printed in Louisiana

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TABLE OF CONTENTS

VOL. 8, NO. 3 JULY, 1925

Piracy in the Gulf of Mexico, 1816-1823,
By John S. Kendall.....341

The First Grand Jury of Attakapas,
Translated by Heloise H. Cruzat.....369

Trial of Pablo Rocheblave Before Governor Unzaga, 1771,
By Laura L. Porteous.....372

A Judicial Auction Sale in Louisiana, 1739,
By Henry P. Dart.....382

The Concession at Natchez,
Translated by Heloise H. Cruzat.....389

"A Reign of Twenty Days,"
By Andre Lafargue.....398

Wills of the French Colonial Period in Louisiana,
Translated by Heloise H. Cruzat.....411

Imperial St. Landry,
By Gilbert L. Dupre.....420

Recollections of Yesterday,
By James A. Renshaw.....428

Chervin, A Pioneer Epidemiologist,
By William Colby Rucker, M. S., M. D......434

Reception by Louisiana Historical Society to the Southern Medical Association, 1924.....449

A Yellow Fever Retrospect and Prospect,
By Rudolph Matas, M. D......454

Editor's Chair—The Eighteenth Century in Louisiana,
By Henry P. Dart.....474

Records of the Superior Council of Louisiana, XXVII.....478

Index to the Spanish Judicial Records of Louisiana, X.....508

THE LOUISIANA HISTORICAL QUARTERLY

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PIRACY IN THE GULF OF MEXICO, 1816-1823

By John S. Kendall.

The pirates who, in the early years of the nineteenth century, were active in the Gulf of Mexico, are the subjects of an extensive literature, much of which, unfortunately, is of a highly imaginative character. A great deal that has been written about Jean and Pierre Lafitte, and the other pirates, smugglers, and privateersmen who, at that time, made their headquarters along the Louisiana coast, is particularly open to that criticism. It is not likely that we shall ever have a very fully documented history of these bold adventurers, but enough exists in the files of old New Orleans newspapers to give a very good idea of the nature of their activities. It is to be regretted that in 1813, the period when Jean and Pierre Lafitte appear to have been most conspicuous, the New Orleans press had very little to say about the Pirates; but beginning three years later and continuing down to 1823, the references to the atrocities committed in the Gulf and along the Mississippi by the buccaneers are quite numerous. I have thought it would be worth the trouble to collect the articles which deal more directly with Louisiana, and they are given below. These, at least, are free from the defects which vitiates so much of the later writings on this curious subject.

The economic situation in which the pirates of the Mexican Gulf arose, has not been studied as carefully as its importance would seem to justify. When in 1808 the traffic in slaves was outlawed, and it became perilous to import negroes directly from Africa, a profitable business promptly developed in smuggling them into the United States, as well as into the West Indian communities. It seems quite probable that the Lafittes were at first engaged in this industry. In connection with it, was the stealing of slaves from one region to sell to another. Just how

far the Lafittes were concerned in this branch of the trade is not known. That they frowned upon the acts of violence which sometimes accompanied the raids made on outlying plantations seems clear from an incident which will be related a little later on. But it seems equally obvious that they used to intercept slave-ships on their way to Latin-American ports, relieve them of their cargoes, and then run the human merchandise into convenient ports, either at Barataria, Matagorda, or in Cuba, where it was put on sale.

The Lafittes were by no means the only people interested in this illegal traffic. There were pirate strongholds, amongst others at Cape Antonio, at the Western extremity of Cuba and at Regla, a suburb of Havana. From these two points forays were carried on systematically against the slavers. Eventually, operations were extended to merchant ships of all types and all nations. It hardly seems possible that the Lafittes kept out of this last genuinely piratical phase of the business, though there are no records to conect them directly with it, and we have Jean Lafitte's own statement that he was only a smuggler, not a pirate.

We have a fairly complete description of the piratical establishment at Regla in an article published in the New Orleans *Courier* on October 21, 1822:

"The village called Regla, in the very bay of Havana, is inhabited in a great part by the identical robbers and assassins who, about Cape Antonio, upon Cayo Romano, and generally, we may say, about the coast of Cuba, have so long infested these seas, under circumstances which create a horror in every mind on the perusal of the details of the unhappy sufferers who fall into their hand. These robbers, technically designated by the name of 'musselmen,' walk the streets of Regla and even of Havana with impunity; they load vessels with powder and ammunition in open day; they arrive and discharge their pillage at night with very litle caution or trouble. A custom-house boat dare not come near them. If the city guard approaches, they are turned off with a bribe; and even the Alcalde of Regla, Don Gumersindo Bellido de Luna, is publicly known to receive bribes from these marauders, at the head of whom is Don Mateo Garcia, who has grown so rich with these spoils that he defies justice. It is he who assists the others in fitting out; at his wharf the

goods are discharged, and is it to be believed?—in a store upon that wharf are these goods exhibited for sale, also with impunity!.....

"An information is lodged from time to time against these marauders, the articles are found in their possession; nay, a schooner has been seized with the articles of a Dutch cargo on board (by-the-by, the crew of that vessel has never been heard of). In any other country, one would think that condign punishment were to follow; but what was done in these cases? Every individual has been let loose to prosecute new robberies; and it is a fact that the [present] owner of the schooner above alluded to appeared with the greatest coolness, and bought her in at public sale. An assessor, a judge, or alcalde, is either cowed or bribed, and there is not one single instance of punishment following such a flagrant breach of the laws.....

"We have several instances before us of the acts of the immaculate citizens of Regla...for the present one instance: a quantity of coffee, nearly 600 hogsheads, collected from the pillage of English ships, now lies and is offered for sale near Bahia Honda; part of this entering Havana was seized and ran the risk of confiscation. A person noted on the wharf of Havana called Burredo (why should we conceal his name?), stepped forward to claim that property as his; and, further, a respectable surgeon, called Montes de Oca, has declared the coffee grew upon his plantation, a place where no coffee has been produced to this day..... When we speak of piracies, so called, of assassinations, of torture, of other horrid cruelties committed, we trace them invariably to the inhabitants of the Island of Cuba—small boats skulking under the mountainous corners of that coast, fitted out and openly protected by residents in the Havana and Puerto Principe."

Besides the one at Cape Antonio, already mentioned, we have accounts of similar piratical establishments at Cayo Romano, in the Old Bahama Channel, whence, with Sugar Key for an outlook, the buccaneers would sally forth to prey upon commerce. A correspondent of the Charleston, S. C., *Courier*, in October, 1822, says:

"From these establishments boats are kept to look out and warn of any danger. If a vessel of war appears, they skulk among the shoals and rocks where that vessel cannot follow, and a moment after they turn their backs, these marauders issue

again [to] the horrid work. On the arrival of a prize they notify the circumstances to the people inland (captured vessels are kept for weeks together as depositories of goods), and such is the immorality of the inhabitants in general in that island, that, instead of being horror-struck at such iniquity—instead of combining to root out an evil of such magnitude—this disgrace upon themselves and humanity—they hasten to the scene with money in hand, and purchase the articles comprising these cargoes.

"Occupation, and a profitable one, is thus afforded to a variety of individuals. Carriers by land, and almost every coasting vessel, are in their interests, the whole forming such a fearful band that justice is foiled in every effort to chastise them. They have become popular, and the petty governor of a district, or captain of an armed band, dare not interfere with their proceedings, nor indeed do they attempt it. From the governors downwards every individual shares, more or less, in the abominable traffic."

This writer goes on to describe the attitude of the government of Cuba, which, he says, is "imbecile and impotent" in its treatment of the pirates. "If such are the proceedings at a distance from the seat of government," he adds, "what will be said of transactions under its very eye—transactions well-known to the governor himself and to the Admiral, inasmuch as they form the constant themes of conversations in Havana to great and small? Yet vessels of war lie at anchor in the harbor; there is no want of troops, both horse and foot; and to what are we to attribute this apathy? Merchant vessels under the Spanish flag are never molested by these marauders, and armed vessels observe and appear to look with pleasure upon the capture at sea of the vessels of other nations. These are well corroborated facts."

He gives some further details about the piratical business carried on at Regla. "A man called Mateo Garcia is at their head (of the 'musselmen') and so far from throwing a veil upon his conduct, he publicly boasts of his earnings, and that justice cannot touch him *because he has money to purchase justice* .... The coasting vessels and boats employed in piracy .... pass the Morro Castle with regular licenses, and at sea the concealed men crowd the decks. Even in sight of the Morro captures have been made. These vessels and various other coasters come to Havana freighted with merchandise." And the writer goes on

to confirm the facts given above, about the freedom and security with which the ill-got cargoes of these vessels could be disposed of in Havana, and adds that even where such vessels were occasionally taken over by the authorities, in consequence of too great impudence, the stolen property never found its way back to its legitimate owners, but was consumed in expenses in the courts, and the guilty men, after a few days in prison, were set at liberty.*

From all of which one may infer that the breaking up of the Lafittes' stronghold at Galveston, in 1820, while it removed the most important piratical settlement on the American coast of the Gulf, merely accentuated the conditions that prevailed elsewhere, and that Cuba was thereafter the real center of the buccaneering business. There was, however, one other important center in the West Indies, which must be mentioned, and fortunately, we have a fairly complete description of it, in a letter printed in the New York *Advertiser* in March, 1821. This letter was written by a private person, residing at St. Bart's, in the British West Indies, and was dated January 14, 1821. Speaking of the "privateers" who resorted to St. Bart's, flying the flags of one or the other of the Latin American countries then in revolt against Spain, the writer says: "This place is frequented by all the 'patriots,' or, more properly, pirates, to refit for their enterprises, and Five Islands, but a few leagues from here, is the emporium for their prizes, a convenient place from whence to smuggle into other islands their booty.... The crews of these 'privateers' consist of persons of all nations; the largest proportion of them are Americans and British. They have recently been so fortunate that great inducements are held out to seamen to enter their service. Almost every vessel that arrives here loses the most or all of its crew, who enter into their service. The prizes of the slave vessels are taken into Five Islands, from whence the slaves are smuggled into various West Indian islands. These vessels are generally furnished with so many commissions that, if they make a capture, they have but little difficulty in showing papers which cover their piracy, and as for courts, they are easily dispensed with. The division of property, booty, prize money, they are not remarkably particular about. Generally, those who come first are first served. It is privateering all

*Reprinted in the *New Orleans Courier*, Nov. 1, 1822. A description of the pirate settlement at Cape Antonio occurs in the *Courier* for February 1, 1822.

around, and when they get a prize, they carry through the whole system of privateering upon one another."

The editor of the New Orleans *Courier* had, apparently, some idea that in 1816 that city, or at least one element in the population there, was almost as intimately connected with the piratical business as any other place along the Gulf. We find in the issue of his paper for November 15, 1816, a communication signed by Thomas Urquhart, a well-known merchant, describing an attempt to burglarize his residence in the city, which he, as well as the editor, seems to have attributed to the Baratarian pirates, or to their confederates:

"A daring attempt was made last night by a gang of villains to force the doors of my dwelling house; they began about one o'clock in the morning, and from the noise they made awoke me; they repeated their attempt a second and a third time without the least apparent concern, but throwing out invectives against the fastenings which were too strong for them, when I warned them off. I think it is a duty which I owe the public to make their statement.

"New Orleans, 13th November, 1816."

The editor, who was then the redoubtable J. C. de St. Romes, complying with a request from Mr. Urquhart to comment editorially upon the fact, remarked:

"At the same time that a set of Pirates come even among our citizens to take away their slaves, carry them to Grand Isle or to Matagorda, which seem to be the two points of reunion of these villains, who have afterwards the impudence to appear amongst us, without their being any man, even among those who have positive proof of their guilt, courageous enough to denounce them to justice, another gang of Robbers appears to be employed in pillaging the houses of New Orleans. For about a month past they talk of nothing but robbery, house breaking, etc.

"We regret to say that should they continue to neglect the organization of the militia in order to enable it to watch for the public safety, we shall have this winter everything to apprehend during the time the citizens are out of their houses enjoying the pleasure of the ball or the play. Then we say if the most effectual means are not employed to oblige the citizens to make patrols, this city will be exposed to all the horrors of *Fire, Pillage* and *Murder*."

Objection was taken to St. Romes' frank speech, and five days later he felt called on to print the following:

"I published in my paper of Friday last a notice which Mr. Thomas Urquhart had sent me relative to the attempt made some nights since to break his dwelling house open. Mr. Urquhart had requested me to add to it a few remarks not only upon the attempt, but upon all the robberies which are constantly being exercised in our city, and I availed myself of the opportunity to mention the Pirates, and put my fellow citizens on their guard against the carrying off of slaves, a practice which still continues.

"I should not have imagined that there could exist an *honest* man which should be offended by remarks, which had the general interest in view, without declaring himself in some manner, if not one of the leaders, one of the abettors of those pirates, and slave robbers against who the whole city complain, as well as myself. How great then was my surprise when I read in the *Louisiana Gazette*, a paper published by Mr. William Bruner, but written by the deadliest enemies of the country, an editorial article in which a torrent of gross and disgusting abuse is lavished upon me, when nothing on my part could have provoked it? The obscene author of that article endeavors to conceal the interest he feels for the pirates and robbers, under a feigned sympathy for the cause of the Mexican patriots. He accuses me of having constantly opposed everything which might tend to the emancipation of the Spanish colonies, and to feel the deadliest hatred against those who take any part in it; but that Billingsgate writer does not mention a word of the manner in which I opposed that emancipation, nor of the manner in which my hatred broke forth; he would, I believe, be rather at a loss to prove his assertions.... In the article in my paper I did not directly or indirectly mention the Mexican vessels who daily come into our harbor, but I spoke in a positive manner of the Pirates who come here from all sides, take in their arms, and carry away all the slaves they can entice. That fact is of public notoriety, and I call upon all the citizens of New Orleans to contradict me if I am in error."

These excerpts from the *Courier* give a vivid idea of the way in which the New Orleans end of the piratical business was carried on. At the same time, slave-stealing was profitably un-

dertaken in other parts of the State. We have, for instance, in the *Louisiana Courier* of October 22, 1819, the following account of a foray on an estate in St. Landry Parish:

"DARING ROBBERY.

"The house of the subscriber on Bayou Quenede Tortue in the parish of St. Landry was forcibly enterered on the night of the 27th of September, by twelve or fourteen armed villains, with their faces blacked (and speaking English) who after tying the undersigned, his wife and children, and threatening to take their lives, if they made any noise or resistance, and under pretence of being officers of government, ransacked the house, and carried off the linen and wearing apparel of the family and etc., together with the following negro slaves, whom a part of these villains had secured, whilst the rest were pillaging the house viz:

"Jack, aged about 50 years, has a bald grey head, foreteeth wanting, his fingers are crooked on one hand, and is about 5 ft. 4 in. high. Charles, about 12 years old, full face, thick set.

"Jack, about 12 years old, a scar on one wrist, full forehead and a pointed long chin.

"Flora, about 25 years old, a large mole, thick set, and near the time of lying-in.

"Phoebe, about 11 years old, thick set, has a scar on her hip.

"Neely, about 7 years old, full face, thick set.

"Lucy, about 4 years old, full face, thick set.

"Anne, about 12 years old, sharp face, slender make.

"Susan, about 10 years old, full face, a scar under one eye, thick set.

"Jane, about 4 years old, a scar on the side of her head.

"500 dollars will be given to any person for the recovery of said negro slaves, or fifty dollars for each, and a generous reward for the detection and conviction of the robbers.

"Parish St. Landry, Oct. 5th, 1819.

"JOHN LYONS, Junr."

The attack on Mr. Lyons' place was so flagrant that the authorities felt obliged to take steps to find and punish the perpetrators. The United States navy, which was then busy in the Gulf and the Caribbean, trying to stamp out piracy, gave im-

portant assistance. On November 24th, 1819, the *Orleans Gazette* was able to make the following announcement:

"Yesterday a boat of the United States schooner 'Lynx' arrived here with four of the men who were concerned in robbing the house of Mr. Lyons, in Attakapas, in the month of September last. It appears that part of the robbers made the best of their way to Galveston, where they were arrested by *Jean Lafitte*, tried and sentenced to death by a court and jury appointed by Lafitte for that purpose. The leader, George Brown, was hanged in pursuance of the sentence; the rest were pardoned. The Captain of the 'Lynx' demanded them when he appeared off Galveston, and they were delivered to him without difficulty."

From which it would appear that Jean Lafitte did not countenance the kind of crime committed by these men, whatever may have been his other sins against the code.

The men arrested by the officers of the "Lynx" were brought to New Orleans, tried, and convicted. "Charles Dickinson, one of the 18 men charged with piracy," said the *Courier*, on December 3rd, 1819, referring to the case, "who had not been tried with the others on account of his being sick at the time, was put on his trial on the 1st inst. and, like the rest, was found guilty by the jury. Mr. Livingston acted as his counsel." Lieutenant Marchand, U. S. N., arrived in the city on December 27 with three more of the "villains" who had plundered the Lyons house. These were lodged in jail, and ultimately, like their accomplices, tried and convicted. But the confederates of these men in New Orleans, or those who came into the city from their headquarters elsewhere, did not allow them to go to their deaths without some effort to save them. We read in the *Courier* for February 20, 1820:

"Gov. Villere received on the evening of Thursday last [16th] an anonymous letter by which he was informed that evil disposed persons had an intention of setting fire to several parts of the city with a view to rob the banks and procure the evasion of the pirates detained in jail. Notwithstanding all inquiries, it has been impossible to learn whether that letter is one of those pitiful hoaxes which some persons have been in the habit of addressing to the Mayor and Governor, to weary those who perform the services of the militia. If it is a joke the author ought surely to be stoned; if on the contrary it is a true revelation of a plot against the public safety, he who preserved the veil of an

anonym is guilty of a pusillanimity for using such a way of acquainting the constituted authorities with machinations so threatening to the safety of our city. However, the governor immediately adopted those measures which were pointed out by wisdom and prudence in such a case. His Excellency at first thought that it might be a joke, but upon reflection upon the importance of the subject, he considered that an honest, but weak man might have obtained some information of the plot, and that the fear of revenge had induced him to reveal the plan, while remaining unknown; His Excellency also thought that one of the accomplices of that dreadful plot, yielding to the voice of his conscience, reproaching him with the misery which he was about to inflict upon his fellow creatures, might be the informer. Under these circumstances His Excellency determined to have the patrols doubled and all the necessary dispositions taken to avoid the evil which threatened the tranquillity and fortune of the public. Notwithstanding the discouragement which a part of the militia of this city feel at seeing the other part remain without performing any service, we do not think that there is a single reasonable man, even among those who are constantly called upon to watch over the repose of others who could blame the governor for adopting so wise a measure. As for ourselves, who do not like, any more than others, to spend the night at the guard house, we are always ready to contribute to the preservation of the public peace and tranquillity, whenever the case requires it; we gladly sacrifice our sleep to watch over that of old men and women; may that brilliant youth who is seen everywhere but at the guard house think as we do, and we shall no longer see men 50 and 60 years of age all night under arms, when there exist so many young men who perform no service at all."

Something of the same sort seems to have been apprehended even as late as the following April, as on the 12th of that month, the *Courier* felt called on to say:

"Some malefactors made an attempt on Monday last (Apr. 9) to set fire to a house situated in St. Louis between Bourbon and Dauphine streets, but fortunately a company of young gentlemen who happened to be passing by, perceived the smoke which was coming out from under the steps of the door, and having examined into the cause, found a quantity of burning coals and

some paper and other combustible materials which had been placed there.

"This is the seventh or eighth time during the past few weeks that fire has either been put or caught in this city without it having been ascertained in what manner the accident happened. It is certainly not to be feared now, as was the case during the first days which followed the condemnation of the pirates detained in the jail, that other *pirates*, who are *in this city* and have not yet been apprehended, may try any attempt to snatch their worthy associates from the sword of the law, which is soon going to strike them; because our militia, however badly organized and neglected, furnishes every evening a company which keeps patrolling and watching the prison jointly with a detachment of marines stationed there every night; and those who should make such an attempt might pay with their lives so audacious an undertaking. However, when it is remembered that the day is approaching that has been fixed for the execution of the prisoners; when one reflects upon the discourse held a few days ago by an individual who is undoubtedly one of the owners of those vessels navigated by the freebooters, who desolate, to the great discredit of our government, our commerce; when one thinks that there exist in our city so many men who require but a judicial inquiry into their conduct to be sent to the gallows; when we see daily arrive among us and appear in all public places, with all the arrogance of unpunished crime, wretches covered with the blood of the unfortunate whom they have murdered at Barataria or Galveston and on the ocean, to get hold of their property; when all these facts which are to the knowledge of everyone, occur to the mind, can we avoid thinking that, if those villains have not the means to contribute to the evasion of their accomplices, they have it in their power to do a great deal of mischief in this city by setting fire to it, with a view of avenging their fellows for the just punishment which they have so often merited themselves; a punishment which those honorable men have the effrontery publicly to call an injustice? Who can avoid believing that the fires so repeatedly experienced in this city since the condemnation of the pirates, are the work of those men who dare to raise in our streets a guilty and audacious head, which the sword of the law has hitherto spared? No one, surely. Why, then, since everyone knows it, are no efficient measures adopted by the competent authority, if not to arrest suspicious

persons, for that would require an information before a magistrate, and nobody dares to run such a risk—at least to watch their conduct and to prevent the execution of their nefarious plans? Why not, instead of doubling the patrols, a measure which produces no other effect than to weary a small portion of the militia, when the others remain quietly in their beds, make an exact census of all persons capable of bearing arms, and order watch to be kept at the corner of each square, whereby the object proposed could be sooner obtained than by having four companies patrolling?

"But we trust we have said enough upon this subject to call the attention of the authorities to a danger with which the city is threatened and to abuses which have been too long in existence: we mean the neglect in making a census of the citizens of New Orleans and in imposing a portion of service upon all classes of society. How many wealthy and healthy persons have never performed the least service which afforded them an asylum, when a number of poor fellows, who have hardly the means of providing for their existence, every week watch for their safety and preservation. These are the abuses which it is important to destroy, and the means of doing it, is to cause at least every three months a census to be made and oblige every individual to perform the service imposed upon him by law."*

The local officials carried out their duty with regard to these prisoners, as is seen from the following paragraph printed in the *Courier* on May 26, 1820:

"Jean Desfarge and Robert Johnston, the former captain and the latter lieutenant of the schooner captured some time since by Captain Loomis, who had been found guilty of piracy, were executed yesterday at 12 o'clock. Out of the 16 other men who composed the crew of that vessel, only one has been pardoned by the President of the United States. His name is John Tuckers. He had been recommended to mercy by the jury. The others have been reprievd for 60 days from the 25th inst."

The remainder of the convicted pirates were, however, not executed till well along in the following year. They were still detained in the Parish Prison in New Orleans in January. In the course of a communication signed Clitus, published in the

*This system of policing New Orleans by the militia serving as volunteers was not corrected for many years. See Norman Walker, "Municipal Government of New Orleans." Rightor's Standard History of New Orleans, pp. 111-112.

Courier on January 15, 1821, in which the author discusses the disposition that should be made of "such a number of men as are now condemned to death in the United States for Piracy," he says:

"The daily expenses now incurred by the General Government for the 14 now imprisoned here, amounts to $30 per day. If they were in the Penitentiary it would not exceed $5. Taking for granted, and it approximates the truth, that one-third of the convicts for Piracy are in Richmond, it would be a saving of $75 per day, equal to $27,375 for annum.... The discipline in those institutions (penitentiaries) is much better calculated to produce reformation than that of a country jail or any place temporarily obtained for safe keeping."

During these and subsequent years there were constant cases of vessels arriving at New Orleans which had been attacked and plundered by pirates, or of ships which had just sailed from this city which had suffered the same hard luck. The newspapers from 1819 to 1822 print frequent items of this description. For example, we find, in the *Courier*, under date of November 15, 1819:

"A passenger on board the schooner 'Three Sisters' arrived in this port on the 12th inst., informs us that the Schooner 'Gold Huntress', arrived at the Havana from this place, had been boarded a few days after leaving the Balize by a pilot boat with 12 or 15 of the piratical gentry, who, when they came on board, said, "We are pirates, and we want money!" After which they searched the vessel and robbed her of about $12,000 in specie."

The same number of the *Courier* contains the following graphic account of a somewhat similar adventure taken from a letter dated St. Yago de Cuba, October 18, addressed to a gentleman of New Orleans, in which the writer says:

"We sailed as you know from New Orleans on the 3rd of July on board the hermaphrodite brig 'Mary,' and 48 hours after, we reached the Balize, where head winds kept us for eight days, during which three vessels passed us from sea which had been robbed by pirates a few leagues above the Biork house. The wind then becoming fair, we set sail. We were already felicitating ourselves to have avoided the misfortune which had befallen the three vessels above mentioned. We were in hope that

the small craft on which the pirates were said to be, would not go to sea. But how vain was our hope! We had scarcely left the pass, we were hardly three leagues distant, when the freebooters appeared and boarded us. Nine bloodthirsty tigers jumped on board, among whom we recognized *a man with a wooden leg* who used to work with Andre Durand, the sail-maker. The first whom they met on deck was myself. They searched my pockets, took from me my golden suspender buckles and my gold watch chain. My family, all the passengers, and the captain experienced the same fate. They afterwards threw us into the hold, where they packed us together, in spite of cries of our children. We remained in that situation 48 hours without eating or drinking.

"I shall not try to depict to you, my dear sir, the horror of our situation, because that would be impossible. But form yourself an idea of defenceless lambs falling a prey to a bloody tiger; think of cannibals actuated by a thirst for blood and booty breaking, searching every thing; and after having taken from us our money, our plate, our jewels, our goods, our linens, in short everything; even our razors, preparing to hang my wife by the feet, myself by the neck, to murder everybody, to throw the crew overboard in hopes of finding more gold and afterwards to set the vessel on fire, and you will have some faint idea of our sufferings and anguishes.

"Finally the villains, after taking everything from us, suffered us to proceed, and we reached St. Yago, from whence I am now writing you."

Commenting upon the reported looting of the "Gold Huntress" and the "Mary," the editor of the *Courier* in this same issue observed:

"We shall make no comments about the robbery of the two *American vessels* just mentioned, nor about the many outrages of the same kind which have of late been committed. We will merely ask if the Secretary of the Navy does not know that the pirates not only infest our coast, but even enter the Mississippi to plunder American citizens and the subjects of powers with whom we are in amity and who come to trade with us? Whether the general government are entirely deaf to our repeated complaints against the depradations which a band of wretches exercise upon our commerce? Whether New Orleans and Louisiana,

that wealthy city and flourishing state, ought not to experience from the general government the same protection which is applied to the other parts of the Union? Finally, whether if we enjoy the same rights as other states, why the Gulf of Mexico is not guarded by a few strong sloops of war able to protect our trade and destroy the monsters who desolate it by robbing all vessels entering or leaving our harbor?

"At all events we shall forward one of our papers of today to the secretary of the navy, and if our complaints are not listened to, we think that the merchants of this city will have nothing better to do than to address a petition to congress to obtain the protection that we are entitled to."

This strong expression on the part of Mr. St. Romes, was followed, two days later, by the publication of an account of the robbery of the French ship "Virginia," on her way from Le Havre to New Orleans. She was set on off the south coast of Cuba, near Cape Cruz, by a felucca equipped with 20 sweeps. An officer from the pirate vessel came aboard, and from him it was learned that the vessel was "La Trompeuse," Captain Don Luis Alvarez, from Santiago de Cuba. This person superintended the removal from the "Virginia" of quantities of goods, wine, mail, etc., as well as some of the clothing of the captain and crew.

Succeeding numbers of the *Courier* chronicle other deeds of the same sort. "We scarcely open a paper," runs a paragraph taken from the *National Advertiser,* dated December 1, 1819, "without finding some account of an American vessel which has been plundered by these buccaneers—and they seem to rendezvous in the nooks and promontories about Florida and Cuba." The editor of the *Courier* adds that they especially assemble at Galveston, at the mouth of the Mississippi, and even in the river itself. The latter fact is distinctly startling; but we have evidence that the pirates did not hesitate to attack vessels even at points north of New Orleans. In the diary of a German trader, J. G. Flugel, who made several trips up and down the Mississippi between the years 1803 and 1818, we find a description of the looting of two vessels in the river above the city.* Flugel was writing in 1817, and this bold crime was evidently committed

*Pages from a journal of a voyage down the Mississippi to New Orleans in 1817. 7 La. Historical Quarterly pp. 414-435, (July, 1924).

by pirates connected with the establishment at Barataria. The diarist writing from his stopping-place on the bank of the Mississippi above New Orleans, says:

"March 7. Morning. Preve tells me that the captain of McCoy's boat with which he came down, started from here with sundry goods, groceries, dry goods, etc., destined for New Madrid. When they were about five miles from New Orleans five men with loaded guns threatened to kill them if they did not give up their boat and cargo. Menard, the owner of the boat, had only two men with him and no arms. He, therefore, was forced to comply with the demands of the robbers, who left with their plunder. I feel sorry for the poor Menard. He lives near New Madrid. Only a short time ago a similar case of robbery occurred when a number of rogues boarded a boat (brig) and plundered it of valuables."†

Such outrages were by no means infrequent, if we can trust the allusions that are made in the New Orleans newspapers of that time, to the activities of the "Baratarians."

In the *Louisiana Courier* for January 1st, 1819, there appears a long list of slaves offered to be sold at public auction "on Monday next the 5th of January, by Dutillet & Sagory, at Maspero's coffee house, on account of the two insurance companies of New Orleans." This sale was the pathetic climax of a singular pirate story. These poor negroes were not, as was usually the case when such human chattels went to auction, brought in to New Orleans on speculation. They were purchased originally (in Africa, apparently,) to "serve those who had bought them." On the voyage over the ship in which they were traveling was waylaid by pirates, and sunk. The slaves were taken on board the pirate vessel, which set sail for Havana. But before reaching that port, she was intercepted by a Spanish warship, and compelled to surrender. The human cargo was then brought into Havana, and apparently some legal complications arose, for we find that the lawful owners abandoned their claim, and the negroes thus passed into the hands of the two New Or-

†The lawless condition of affairs in and around New Orleans, at this period was due to the breakdown of her primitive legal machinery for the suppression of crime.

The Legislature of Louisiana came to the rescue by creating a criminal court and establishing penalties and Gov. Villere reported in 1819 that the authorities had the criminal situation well in hand. See footnote to Flugel, Ibid 429.—Ed. La. Hist. Qy.

leans insurance companies, which seem to have issued policies covering the vessel and its cargo. At any rate, the negroes were finally brought to New Orleans where they were sold.*

Although it departs a little from the subject of this paper, the list of these poor negroes, as it appears in the Courier, is so curious and so humanly affecting, that I venture to insert it here, just as it is given in the *Courier:*

"Tom, 24 years, good brick moulder, plough man, waggoner and axeman, a complete plantation hand and good subject.

"Doctor, 16, house servant, manage horses, and good for field, very willing.

"Anthony, 23, sawyer, plough man, driver and good axeman, has worked long in a brick yard.

"Daniel, 36, field hand, sawyer and driver.

"Edmund, 30, good brick moulder, sawyer, plough man and complete field hand.

"Burrell, 22, complete farmer, good at the axe, manages horses, and is very willing.

"Nelson, 16, house servant, drives well, good also for field.

"Macklin, 23, field hand, good plough man.

"Heartwell, 16, house servant, attend horses, very smart and willing.

"Billy Morris, 30, gardener, plough man, &c, very good steady house servant.

"Peter Todd, husband of Charity, 26, capital mason, very good at the axe, and all field work.

"Anderson, 16, good house servant, plough man and driver, very active and good boy.

"Isaac and Aleck Brothers	25, brick moulder, excellent at the axe, hewing, &c, pulls a good oar, a most valuable negro. 23, saws, squares timber, hews, drives, ploughs, good in a boat, like his brother, a most valuable subject.

"Billy Barnes, 24, good cooper, sawyer, can turn his hand to anything, and of a good disposition.

"Sam Rawlings, 19, plough man, driver, good field hand, has worked some months in a cooperage.

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*Note: This theory of the origin of the slaves thus sold would not seem to be borne out by the qualifications of each slave carried in the advertisement. From these it will be seen that each individual (more or less) is a skilled laborer in certain lines that could not have been acquired in Africa. The probability is that they were stolen in some piratical raid on the plantations of the South Atlantic Coast. Another very interesting problem is raised by the announcement of the sale for account of the Insurance Companies. It would seem clear that the slaves were insured and the statement that they were to be sold for account of the Insurers shows the owners must have been known and have received compensation from the companies. There are several cases on the subject in the Reports of the Louisiana Supreme Court before the Civil War, and a famous litigation grew out of the mutiny of insured slaves on the Creole, *Pierce Butler*, Judah. P. Benjamin, pp. 41-2.—Ed. La. Hist. Qy.

"Sam Boss, 18, gardener, driver, good field hand.

"Parker, 15, house servant, accustomed to garden, smart boy.

"James Brown, 26, painter, house servant, tolerable cook, and can turn his hand to any thing, good temper.

"John Moore, 35, sawyer, plough man, good at the axe, and used to all kinds of farming.

"Henry, 18, good driver, capital waiter, very active and very willing.

"Jacob, 16, coarse shoemaker, good ostler.

"Jaspard, 21, blacksmith, very handy at all kind of work, has proved himself an excellent and steady negro.

"Sam Brown, 28, block, pump, and mast-maker, perfect master of his trade, good at the oar, and smart at all work.

"Jeffery, 21, ploughman, driver, &c.

"Archer, 14, smart jockey and good boy.
"William, 14, work in corn fields.
"Ned, 14, tobacco stemmer and corn field.
"John Anison, 14, driver, plant corn, &c.
"Randolph, 14, driver and Plougher.
"Abraham, 12, driver, waiter in house.
"Edmund, 12, used to the field.
"Davy, 12, plants corn, &c.
"Henderson, 11, used to garden.

} Smart promising boys, and may soon be made any thing of.

"Ruffin, 8,
"Harry, 6,

} fine healthy fellows, and eat well.

"Charity, 16, house servant, washer and ironer, sews tolerably, very willing and excellent temper.

"Chany, 24, house servant, cooks, washes and irons, sews tolerably, far advanced in pregnancy.

"Nelly, 26, cooks, washes and irons, very careful mother.

"Dunbridge, 6,
"Richard, 4,
"Judith, 1,

} Nelly's children very healthy.

"Fanny, 28, washer and ironer.

"Robert, 3, her son.

"Celia, 26, house servant, cooks, washes and irons, spins and sews tolerably, excellent disposition, a very prolific and good mother, wishes to be sold with Anna.

"Sylvia, 7,
"Peter, 4,
"Edmund, 3 ms.

} Celia's children.

"Amy, 15, good for the field or for house servant, good temper.

"Nora, 22, excellent house servant, good seamstress, washer and ironer, good disposition and careful mother.

"Heartway, her son, 6,
"Lewis, her brother, 5,

} clean healthy children.

"Anna, 17, house servant good seamstress, washes and irons, understands French, wishes to be sold with Celia.

"Lucy, her child, 3 months.

"Charity, wife of Peter Todd, 18, sews, washes and irons, good temper.

"Mary Ann, 16, good house servant and good girl.

"Maria, 14, washes and sews tolerably, good field hand, plough.

"Lucy, 14, house servant, washes and sews, use to take care of children.

"Betsey, 16, capital house servant, washes, irons and sews.

"Lavinia, 12, house servant, sews tolerably, also good for field.

"Peggy, 12, house servant, knits."

Sometimes there was smart fighting between the merchantman and her would-be captors. "Captain Hodgson, of the brig 'Parker & Sons,'" we read in the *Courier* for October 18, 1822, "arrived in town yesterday, having sailed from Havre about August 5th. He reports having had an engagement with a Spanish pirate off Porto Rico mounting one long 18-pounder and manned with a crew of 63 men; the pirate after some firing on both sides, succeeded in boarding the brig—and robbed Captain H. of all his clothes, watch, chronometer, and the greater part of his provisions and water. Previous to being boarded the 'Parker & Sons' had three men wounded—the pirate acknowledged one man killed and several wounded." Apparently, no special resentment was felt because the captain had defended himself; but of course, in the other event, when resistance had roused the pirates' blood, and the ship was scuttled and the crew slain, we would have no details, and we must therefore not form too favorable an opinion of buccaneering sportsmanship and good-nature from the single instance of the "Parker & Sons."

Victory did not always incline to the side of the marauders. There were not infrequent instances when the pirates were foiled in their intentions, as in the case of the brig "Belvedere," Captain Lamson, which arrived at the Quarantine, below New Orleans, in May, 1822, and an extract from the log-book of which was published in the *Courier* on the 22nd of that month. Captain Lamson was on his way from Port-au-Prince to New Orleans, when, on May 2nd, he fell in with a schooner and three launches, which, in spite of bad weather, gave chase. "Succeeded in getting away from them," he says, in his brief, sailor-

like phrase; "and the next day, at 10 a. m., made a schooner on our larboard bow, lying under main-sail and jib. At 11 a. m. she was on our lee quarter, fired a shot, and coming up fast. At 20 minutes past 11 she gave us another shot and hoisted a red flag, with death's head and a cross beneath. Finding I had a *hard character* to deal with, I prepared for him as well as we were able, and immediately brailed away my topsails, hauled up my courses, clewed down top-gallant sails, hauled down jib, braced in the mizzen-top sail, and kept off two points. Fired a musket and hoisted colors. At 12 she came alongside within 10 yards distance. Hailed with "—— —— you, send your boat on board; I will murder all hands of you!" He had not discovered that we had our gun at that time. I answered that I would send her immediately. He immediately gave me a whole volley of muskets and blunderbusses, before I answered him. Our gun was pointed, and cloth removed, and we commenced as smart a fire as possible with our 24-pound carronade, 4 muskets and 7 pistols, and on our first fire 6 of them were seen to fall, including the captain, or leader, being the one who hailed me. He only discharged his large gun three times along side, as our third shot broke his carriage, and his gun fell into the scuppers. He then kept up as smart a fire as he was able with muskets and blunderbusses, and dropped near the stern, expecting to find more comfortable quarters, but he there got a most terrible cutting up from a brass 3-pounder, by which he was raked within 20 yards with a round shot and two bags of 40 musket balls each, which completely fixed him." (That phrase—"Completely fixed him"—really, it has a sort of epic grandeur.) "I did not receive any fire from him, nor heard a word spoken on his deck, and in fact, did not see any one on deck. His vessel, holding such a wind, and sailing so fast, she soon was clear of grape-shot range, and wore ship, when we counted 6 or 7 of them, which appeared to be all that he had left; the captain I saw distinctly laid on deck. Our loss was one killed, shot through the head; about 40 musket balls through the rudden case, tiller, sky-light, companion-way; our fore topsail halyards shot away, and trysail halyards cut in three pieces. The pirate was a schooner of from 36 to 40 tons. We counted 22 men when we came alongside. He had a brass 5- or 9-pounder amidships, and muskets and blunderbusses by him a plenty of them."

A dispatch to the *Orleans Gazette* from English Turn dated Sept. 7, 1821, reports the arrival there of the brig "Clarissa," an American vessel, of which the captain was named Green. She was 56 days from Grennock. "She reported that off Cape Antonio, Cuba she had been waylaid by a small piratical schooner, and robbed of goods of an estimated value of $20,000." This happened August 28th. "The schooner was manned with 12 or 14 Spaniards, well armed with muskets, cutlasses, etc. They took the flag, most of the clothes, watches, etc., in short every article of value they could lay their hands on. A few hours before they robbed the English brig Neptune, Captain Kelly, from Jamaica, bound to St. Johns, New Brunswick, of all their clothes and $5000 in specie."

In the *Louisiana Advertiser* of the same date we have the account of the experience of the ship "Orleans," intercepted by pirates, whose captain had a certain gift for expression and a grace of manner which, somehow, suggests Jean Lafitte. Lafitte, as is well known, was a man of very superior education, and few, or none, of the pirates of that date save himself were capable of the rather amusing letter quoted below. It seems that the "Orleans" had on board as passenger an officer of the United States army. In taking leave the commander of the Pirates pencilled in the French language the following note:

"At sea and in good luck.

"Sir:

"Between buccaneers, no ceremony. I take your dry goods and in return I send you a pimento; therefore, we are now even; I entertain no resentment.

"Bid good day to the officer of the United States and tell him I appreciate the energy with which he has spoken of me and my companions in arms. Nothing can intimidate us; we share the same hazards, and our maxim is: 'that the goods of this world belong to the bold and valiant.'

"The occupation of the Floridas is a pledge that the course I follow is in conformity with the policy now pursued by the United States.

"Signed: "Richard Coeur De Lion."

It is noteworthy that, in all the articles published in the New Orleans newspapers between 1816 and 1823, in addition to those already cited, there occur only three notices regarding the

Lafittes. One of these is in the *Courier* for March 19, 1821, and is in the form of a communcation from Charleston, S. C., stating that: "We understand that a schooner called the 'Nancy Eleanor,' on board of which was Lafitte, brother of the celebrated pirate of that name, left this port in a clandestine manner a few nights since. It is said she had on board arms and a large number of men, and is supposed to be bound on a piratical expedition."

Another is contained in the *Courier* for November 29, 1822, and reads,

"We have been informed that the famous Lafitte, of piratical memory, after having been wrecked on the island of Cuba, being destitute of all means of living and of escape, had been discovered and apprehended by some inhabitants, who brought him to Porto Principe, where he was thrown into a dungeon. Unfortunately for mankind, Lafitte was recognized by *several influential persons of the place,* to whom he had formerly rendered some *service,* and who facilitated his escape. We cannot avoid applauding the feeling of *gratitude* which moved these persons to break the chains of their *benefactor,* but at the same time we cannot too deeply regret that the monster, who has shed so much innocent blood, should have, perhaps for the hundredth time, escaped the sword of justice, which has so long been hanging over his guilty head."

The third of these notices is of great interest, as it is the last bit of authentic information which we have regarding this redoubtable individual. Hitherto, when we read that Lafitte boarded his favorite boat, the "Pride," at Galveston, on May 12, 1820, his biography, as far as formal history is concerned, terminates. The rest is pure tradition—even Stevens' statement that he died in Yucatan, in 1826. But in the log-book of the "Belvedere," from which we have already quoted, under date of May 2nd, 1822, we find Lafitte fighting a detachment of American warships off the coast of Cuba. "Spoke the U. S. schooner 'Allegator,'" writes Captain Lamson, "under Lieutenant-Commander Stockton, off Sugar Key, coast of Cuba; was informed on board that they had burnt a schooner, taken another and sloop from the pirates, and an English brig, the captain and mate having been hung by them. The 'Allegator' also had retaken the Colombian schooner 'Sinega' from her crew who had mutinied and run away with her. When the 'Belvedere' parted from the 'Allegator,' Captain Stockton was inshore with a schooner of

light draught of water, with 70 men, belonging to the 'Grampus' and 'Allegator,' together with the three crews of the prizes which he had taken, when they commenced exchanging shots with a piratical schooner of 70 men, but being very much crowded it was very doubtful if he could take her. The famous Lafitte was amongst them." This statement has the further interest as it is, I believe, the only thing which we have that directly connects Lafitte with piracy on the open seas and with armed opposition to the forces of the United States. What became of him after 1822, we do not know.

If in these old newspapers of New Orleans we hear little of the two most notorious of the Louisiana buccaneers, it must be said that neither do we hear of the other pirates, either. That the Lafittes were not the only chieftains who operated on the Louisiana coasts is tolerably clear. The story of the Lyons raid points quite clearly that way. In fact, the only notice that we have during the years 1816-1823 of any of the leaders of these other pirates bands is supplied by the *Courier* for November 17, 1819, when the editor jubilantly recounts the death by violence of Gambi—Gambi, of whom we hear nothing nowadays, yet who was in his day scarcely less notorious than Lafitte himself; a personage who was especially celebrated for the number of his murders and for the fact that he invariably killed with a broadaxe. Gambi was an Italian. He seems to have frequented Grand Isle, and it is said that he died there.

The *Courier's* notice reads:

"We have learned with the greatest satisfaction that the pirate Vincent Gambi, of awful memory, so celebrated in the annals of murder, pillage and all other crimes which desolate mankind, has arrived at the end of his horrid career, not through the galleys, that last asylum of men like him, and which he richly deserved by his crimes, but by the very hands of his associates, by the very bloody axe which he so often used in murdering the victims of his cupidity and wretchedness.

"The person from whom we have learnt the excellent news, had it from good authority, and although he had not an opportunity of knowing all the particulars, he told us we might publish them as certain. The fact is, that the villain whose name this day pollutes our paper does no longer exist. He used to lead his infamous companions with so much rigor and severity that, being tired of his sway and availing themselves of an opportunity when they found their worthy chief asleep on a sum of

$10,000 or $12,000, which he had robbed but a short time before, they cut his head off with an axe.

"We shall endeavor to obtain further information about that happy event and we shall publish it, well convinced as we are that the death of so daring a villain cannot fail to be of interest to society at large and especially to the inhabitants of the state of Louisiana, who shudder at the crimes of the pirates of whom he was one of the most distinguished leaders. In the meantime we wish with all our heart that those monsters may either kill each other, or fall under the sword of justice."

But with that cheerful inconclusiveness which characterized so much of the journalism of that day, the editor said no more on this interesting subject. Either he found it impossible to get further details, or when he got them, deemed them too sensational to publish; at any rate, we hear no more of Gambi and his picturesque end.*

The frequent occurence of attacks by the pirates on vessels entering or leaving the port of New Orleans led to attempts by the United States government to break up the piratical establishments. I shall not speak of the attacks on the Lafitte settlements, first at Barataria and, later, at Galveston. This chapter in the annals of the pirates of the Gulf is too well-known to need repetition here. But something may be said of the activities of Lieutenant Marchand, who in 1819, seems to have been detailed to this dangerous service at New Orleans. We have already heard of him in connection with the arrest of the Lyons desperadoes. In July, 1819, the *Orleans Gazette* published a paragraph reporting the escape of four rascals from the New Orleans jail; and the leader of the party dispatched in pursuit was this efficient officer. The *Gazette's* paragraph reads:

"We learn that the retreat of one of the pirates, who lately effected their escape after they were captured, having been discovered, notice thereof was given to the Mayor, who promptly dispatched a party to take him, by whom he has been safely lodged in jail. One of the seamen who were present at and opposed the rescue, recognizes in him the person by whom he was wounded in the arm."

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*In Cable's "Creoles of Louisiana," there is a statement implying that Gambi did not meet with any such bloody end as that described in the text, but reformed and lived for years as a peaceful citizen at Cheniere Caminada, and died there about the year 1860.

Marchand returned to New Orleans on August 3rd. On the following morning the *Courier* said, referring to his work:

"Lieut. Marchand of the navy, who had been sent some time ago after the pirates who had lately plundered several vessels, arrived back in this town last evening. He states that since the arrest of the four villains he had taken and who succeeded in making their escape after stabbing the men who had to watch over them, he visited the whole of Mr. Foucher's canal and went down to the Temple without meeting with any of the freebooters. Yesterday being at Mr. Foucher's mill, he found four men (all Americans) in a boat who said they were going a fishing. Lieutenant Marchand having found in their boat several carpenter tools had some suspicion and had them arrested. They are now on board the sloop of war 'Louisiana.' If those individuals are innocent we sincerely wish that their innocence may be ascertained and that they recover their liberty; but if they are guilty, we as sincerely wish that they may suffer the punishment due to their crimes. It is only by a great example that a stop can be put to the numerous excesses which the picaroons commit in our neighborhood."

The New Orleans *Chronicle*, for August 8th, gives a few additional particulars regarding Lieutenant Marchand's mission. These appear in a communication signed "Castigator," who, apparently, shared Editor de St. Romes' dislike of the piratical element in New Orleans society:

"In consequence of several robberies having been committed a short time since, on board of vessels bound to, and from New Orleans, within its vicinity, the commanding naval officer, with his usual vigilance and promptitude, dispatched several officers and men in pursuit of those piratical villains. Lieut. Marchand being one of those designated for that duty, by the commander, surprised and captured a party of men whose situation rendered them proper objects of suspicion—he put them in irons and placed them in charge of an officer, with orders to proceed to New Orleans; but those men, who are no doubt, 'all of good character and respectable standing in the city,' by way of vindicating their characters, thought proper to stab the officer, throw him overboard, and make their escape. Lieut. Marchand, zealous to justify the confidence reposed in him, prosecuted the pursuit, in the course of which he fell in with another party, who it appears are likewise, 'all of good character and respectable standing

in the city'; but as there were suspicious circumstances connected with them, he determined upon bringing them to town for examination—but as a precautionary measure secured them in irons, in order to guard himself and crew from an attack similar to that which had lately but too well succeeded against one of his fellow officers. The commodore after having investigated the grounds upon which they were arrested, directed them to be discharged, as there was not sufficient testimony against them to justify a prosecution.

"I have no personal knowledge of any of those individuals who have been arrested—but it appears from the statement of 'a party concerned,' published in your paper of yesterday, that 'they are all of good character and respectable standing in this city,' this may be true enough, for, Mr. Printer, 'we are all honorable men,'—but, I am too well acquainted with the character and gentlemanly deportment of the meritorious officer, whom he has attempted to stigmatise with having 'disgraced the character of an American officer,' not to believe, that your correspondent is in reality 'a party concerned,' otherwise he would use very different language in the present instance; instead of attempting to paralize the exertions which the navy officers are making to protect commerce, and bring to punishment those who plunder and murder our citizens, he would regret the existence of an evil which may subject an innocent citizen to a temporary inconvenience, in order to insure the arrestation and punishment of the guilty."

But the suppression of the pirates was too large a task to be accomplished by Lieutenant Marchand, nor was it to be done by rounding-up the malefactors in the vicinity of New Orleans. The work engaged the attention of a large part of the United States navy, and was not completed till several years later, and then only after a series of picturesque battles in the West Indies—battles which were highly creditable to the men engaged, but which seem to have been overlooked by the historians of the national navy. On October 18, 1822, the *Courier*, for example, was able to announce that "a piratical schooner, prize to the United States schooner, 'Peacock,' midshipman Wilson, has arrived at the quarantine ground, where she is detained. We learn that this vessel was captured off Rio Hondo, together with four other piratical vessels; that previous to Midshipman Wilson's leaving the 'Peacock,' she had cruised three or four days in com-

pany with the revenue cutter 'Louisiana,' Captain Jackson, and had succeeded in completely breaking up the piratical establishment on the keys. One of the prizes, with a cargo of coffee, had been scuttled and deserted by the pirates; the coffee was saved, and the vessel, with one other, was burnt. The other three were ordered to this port; one of which mounts nine guns; another 3; and the third a long twelve pounder. The 'Louisiana,' with eighteen prisoners, sailed for New Orleans on the 3rd. Captain Caesin, in the Peacock, has gone in search of a Dutch and a French ship, which the pirates have taken and converted into store ships. The 'Louisiana' may be daily expected to arrive in this port."

But the "Louisiana" did not reach New Orleans till August, and, then only after smart fighting with the pirates in the vicinity of Matanzas, in conjunction with Porter's squadron. The "Peacock," however, continued her voyage, and was instrumental a few days later in cutting out some further prizes and rescuing a merchant ship attacked by pirates almost under the guns of Morro Castle at Havana. Then on Nov. 27, 1822, the *Courier* reports the death of Captain Allen, of the U. S. schooner "Alligator," killed in action with the pirates of Matanzas about ten days previously. In the following April a vessel from Havana, arriving at English Turn, reported that Commodore Porter's squadron of four vessels was cruising in that vicinity, and the capture from the pirates of numerous prizes. At last, on May 12th, the *Courier* says that the news is that Commodore Porter and the British cruisers—for it appears that the British cruisers cooperated in this good work—"had nearly destroyed all the pirates in the West India seas." And in fact, by 1825 the day of the buccaneer was definitely over. The establishment of the independence of the Latin American States put an end to the issuance of privateering licenses, and made the excuse unprofitable that the bearers of these commissions were preying on the Spanish commerce in the Gulf. It is likely that Lafitte perished in the process of clearing the Gulf of the piratical vermin. Two years before, in the course of these operations, the settlement at Galveston, to which Lafitte removed, after having been compelled to abandon Bartaria, was broken up. Rid of the presence of this dauntless and implacable criminal, and of his like, commerce could thereafter move with comparatively little apprehension about the alleyways of the sea; and a period of prosperity set

in which swept New Orleans on to the commercial preeminance that was to be her's down to the evil days of 1860 and the blockade of the Civil War. Though we continue to hear of piracies from time to time as late as 1825 and 1826, these reports occur with constantly diminishing frequency in the New Orleans papers in those years, and by 1828 ceased to have a place in their columns; either they had ceased entirely or were no longer picturesque enough to interest the readers of the periodicals of those days.*

*See the interesting narrative of Dr. George Howe, printed in "Stories of the Sea" (Chas. Scribner's Sons, 1893), 193-256. Dr. Howe was a young medical student in New Orleans, who was induced to make a voyage on a slaver, in 1859. It appears that this was the last vessel to run a cargo of slaves out of Africa to the American coast. This particular paper was printed originally in Scribner's Magazine 7, 113 (July, 1890).

THE FIRST GRAND JURY OF ATTAKAPAS

Translated from Robin, Voyage a la Louisiane, Tome II, a Paris, 1807 (PP. 430-435),
By HELOISE H. CRUZAT.

"I was then at the Attakapas, from which place I extended my travels: I had there bought a house and some land, in default of being able to lodge myself otherwise. The Attakapas in the meanwhile were made a county and, as such, there was a criminal court. I was appointed a member of the first grand jury held.

We had to pronounce on several serious infractions carrying afflictive penalties. The jury, it is true, was established by law; but the new law had not yet decided on the penalties to inflict for delinquencies prior to its existence; if they were to be inflicted according to the Spanish Code or the French Code, or the American Code, or the English Code; there did not even yet exist a known mode for the promulgation of laws; so that it was not known at what time a law made by Congress or by the legislative corps of New Orleans would go into effect.

After having been sworn we retired to a private apartment; various delinquencies were communicated to us to be submitted to our deliberation, and a stranger presented himself, an English newspaper in hand, and began reading this paper to us and explaining it in unintelligible French.

In the very lengthy columns which he ran through, he stated among other things the penalties to inflict: *Against rape, against the crimes of sodomy and of bestiality, against those who illicitly cut or pull off or bite the ears, cut or mutilate the tongue, put out an eye, split the nose or a lip, cut or pull them out, mutilate some member, and tear the face.* These delinquencies had their tariff as to the quantity of piastres to pay, and the length of time in prison and of penal labor to endure.

This code for cannibals, which made my hair stand on end, had fifty odd articles. Then the man translator retired leaving us his paper which had no more official character than himself.

"Are we," said I to my honorable colleagues, twenty-five "butchers who are to strike the victims as they present them to "us, and in the manner in which we are told? We do not yet "know by what right legally we are convened, and we know still "less what we have to do. The accused who are unable to present

"their defense have not, at this tribunal, one man familiar with "the French language to defend them and instruct us in their "case; they must accept as defenders young strangers to whom "they can not explain since these strangers do not understand "French, and that we, who do not understand English, can not "be enlightened by their pleading. Everything then forbids us "to pass upon the honor and life of our fellow-citizens; and, as "far as I am concerned, I declare myself incompetent."

This opinion was unanimous and I then wrote out the following resolution which was also received unanimously:

"The members of the first Grand Jury of the County of the "Attakapas, considering that the laws of the United States are "unknown to them; that, until now they have found it impossible "to become acquainted with them, *that there exists no translation "of them into their maternal language,* and that the English lan- "guage in which these laws are written is unknown by almost "all the members of the jury and even of the inhabitants of the "County of Attakapas; that, this being the condition of things, "the members of the jury have found it impossible to enlighten "their consciences; that if they attempted to pass on the delin- "quencies brought before them as members of the grand jury, it "would be condemnable rashness which would expose them to "violate the same laws which they have the greatest desire to "know and observe.

"The members of the grand jury consider, moreover, that "the accused, their fellow-citizens, find themselves in the same "condition of invincible ignorance; that these laws are then for "these accused as if they did not exist; that to insist upon apply- "ing them to them would be giving to these laws a retroactive "effect, which sound morals and the legislations of all just nations "have always reproved, and that it would even be an attempt "against the constitution of the United States, which laid down "as a base that its laws could not have a retroactive effect.

"In consideration of these powerful motives the members of "the grand jury of the County of the Attakapas unanimously "declare that they find themselves under the imperious obligation "of abstaining from pronouncing presently on these delinquencies "in the name of these laws; that in the trying situation in which "they are, they pray the first magistrate of the County to inform "the Governor and the legislative body of this resolution dictated "by a pure conscience."

After this resolution was covered by the signature of all the members of the jury, we went before the Judge holding court. I read it to him in open session. He publicly answered, word for word, that he shared the trying conditions in which the grand jury was placed; that he approved the wisdom of their resolution, and that he would speedily see to its reaching the superior authorities that justice might be done to it. The court was thus dissolved; and they began to judge serious cases in this county only six months later.

Foot Note—However the juries of the eleven other counties of Louisiana, (even that of New Orleans, where at least should have been found some reasonable individuals), judged, condemned and tarnished in virtue of laws of which they had not the least idea.

It may be seen that I used as a principal expedient the sole necessity of transmitting the laws in the French language, from which would have resulted the necessity of pleading and giving instructions only in French. If I had then been able to supply the great expense of sending messengers to all the other counties to deliver the resolution, to spread it at the same time through the newspapers, to have it supported by vigorous observations, the resolution would have been made by a single individual. By this simple and expeditious means the whole of Louisiana, to preserve its maternal language would have suspended the courts of justice, arrested the march of government, and assured to France forever a state linked to the American federation, it is true, but a state which preserving its French character would never have ceased to supply its commerce, etc.

And if these deputies had then presented themselves in Congress thus upheld by the strongly expressed will of the Louisianians, would this haughty Congress have dared to debase these delegates and send them away hardly having heard them and refusing them all they asked?

TRIAL OF PABLO ROCHEBLAVE BEFORE GOVERNOR UNZAGA, 1771

Summarized from the original record at the Cabildo, New Orleans.
By LAURA L. PORTEOUS.

1771—March 16.
Criminal Suit.
Prosecution of Pablo Rocheblave for theft of a pirogue with its cargo.
No. 129. 57 pp.

Court of Governor Unzaga

Assessor, Cecilio Odoardo

Escribano, Andres Almonester.

Unzaga officially announces that Carlos Blanchard, owner of an English ship, sailing on this (Mississippi) river has reported to him that on February 28th as he was passing with some merchandise in a barge or pirogue the said boat was robbed. He presents a list of the effects which were stolen. His suspicions are directed against Mr. Pablo Rocheblave. In order to proceed with the investigation and to inflict the necessary punishment should the crime be proven His Lordship directs the Assessor, Cecilio Odoardo, to call and examine witnesses and to take the necessary proceedings to discover the author of the crime and to find the stolen property, which according to the list filed is as follows:

Invoice of the merchandise which was in the boat belonging to Mr. Blanchard.

	12	dozen wood-cutter's knives No. 3.....	Ps.	9 – 6
	6	" " " " " 4.....	"	8 –
	40	Trade mirrors	"	10 –
	7	Measures of white glass-beads.....	"	8 –
	6	" " red " "	"	9 –
	4	" " black " "	"	6 –
	50	Cotton gingham shirts with their cuffs..	"	62 –
	12	Fine cotton gingham shirts without cuffs	"	15 –
	12	White shirts with their trade cuffs....	"	18 –
	500	Gun-flints	"	3 – 4
	2	Pieces of blue cotton handkerchiefs.....	"	9 –
	3	Pieces of India silk handkerchiefs.....	"	25 –
	1	Dozen silver buckles for shirts No. 3....	"	3
	1½	" mettle " " " " 4....	"	7 –
Marked with the silver mark of England	3	Pairs of small silver bracelets.....	"	7 –
	3	Pairs of large silver bracelets.....	"	16 – 4
	3	Silver neck-pieces.....	"	21 –
	1	Dozen pairs of silver ear-rings No. 1....	"	6 –
	½	" " " " " " " 2....	"	2 –
	1	" " " " " " " 5....	"	11 –
	7	Dozen and 2 fine gingham handkerchiefs	"	32 –
	2	Pieces of Prussian (a kind of stuff) No. 4	"	10 –
	1	" " " No. 5	"	5 – 2
	1	" " " No. 7	"	5 – 7
		carry to the other side.....		310 – 3

Brought from the other side.....	Ps.	310	– 3
3 Pieces of prints No. 9.....	"	21	–
1 " " Prussian (a kind of stuff) No. 6.....	"	5	–
2 " " Gingham 7/8.....	"	28	–
2 Dozen clasp-knives.....	"	3	–
6 Dozen wood-cutter's knives.....	"	6	–
1 Small barrel of gun-powder.....	"	10	–
6 Pieces of binding tape.....	"	4	–
2 Guns	"	12	–
1 Sail entirely new.....	"	6	–
2 Oars	"	1	–
1 New trunk.....	"	5	–
About 20 pounds of biscuits.....	"	2	–
Piastres.		415	– 5

Cecilio Odoardo causes to appear before him, as witnesses, Jean Paul, a resident of this city; Juan Dubedat, and Miguel Conrado (Misel Chorado), native of Bordiguera, Dominion of Genoa, a voyager in this Province. Each one is questioned separately through Jacinto Panis, interpreter, as to what they know of the robbery of the merchandise reported by Carlos Blanchard.

The substance of their testimony is that Blanchard told them he had been robbed and asked them to act as his witnesses while he made an investigation, as he had already obtained an order from Governor Unzaga to make the search.

The English captain seems to have reached the river from Pensacola through Manchac (Manchaque) as he speaks of returning that way after losing his entire cargo. On the way to look for the stolen goods they met Rocheblave in his pirogue with his son and a neighbor, called Tasin. They found Rocheblave attempting to hide a new sail by wrapping it up in a piece of canvas or netting, which the owner recognized as the one stolen from him. When they tried to claim it and asked about the merchandise that had been taken, Rocheblave drew a gun and threatened to kill them. Upon making further investigations they found several negroes wearing shirts which were also identified. Questioning these negroes as to how they came by them they said that they had bought them from Mr. Rocheblave.

On the strength of this testimony, March 20, Unzaga, on Odoardo's advice, issues an order of imprisonment against Mr.

Rocheblave's person, and for seizure of all of his property, which will be placed with the General Receiver. A marginal note states that the order of imprisonment covered by this decree has been issued and delivered to Jacinto Panis, "Ayudante Major" of this place, to put His Lordship's decree into execution. Attested and paraphed by Almonester, Escribano. The order of imprisonment signed by Unzaga authorizes any minister of justice to arrest Rocheblave and commit him to the public prison, and to seize his property and place it with the General Receiver.

March 22, seizure is levied on Rocheblave's property consisting of his house and out-buildings, a negro family, a gun, shirts, sundry pieces of linen, cotton and silk, and it appears that most of the merchandise set out in Mr. Blanchard's list were found hidden in the defendant's woods. The seized effects were "deposited" with Joseph Ducros, General Receiver.

March 24, Cecilio Odoardo causes Jean Baptiste, called Jupiter, a slave belonging to Rocheblave, to be summoned and through Jacinto Panis, here acting as interpreter, questions him about the merchandise which was seized and what happened when he accompanied his master in the pirogue when the said merchandise was stolen. His testimony consisted largely of what he heard other negroes say.

Cecilio Odoardo then went to the public prison where, through Jacinto Panis, interpreter, he received Pablo de Rocheblave's declaration. Under interrogation the prisoner states that on the night of the 27 or 28 of February he received a letter from his brother-in-law, Mr. Chateaubeaudeau, that some free negroes and whites were to assemble at his plantation to go in pursuit of some fugitive slaves and some whites who were with them.

At the discharge of a gun he went to the bank of the river which was the signal to bring the people together. At this time a canoe was coming down the river with two men on board, each one with his gun. These men abandoned their boat and let it drift down stream. He stopped the canoe and to save the merchandise put it in his cabin for safe keeping. As there was no witness to his action, when an investigation was started he took the things and hid them in the woods where they were found.

He was asked why he did not return the merchandise at the time the real owner demanded them. He said that he was afraid to lose his reputation but that he meant to restore them.

In fact he intended to turn them over to Father Dagobert for restitution. He was asked if any one in his house helped him. He said no, and that if his negro, Jupiter, knew it was because he saw him when the effects were taken out of the cabin.

March 25, Unzaga orders Pablo Rocheblave recommitted to prison (Reencarguese La pricion), the present Assessor to go there and take his confession. On the same day Andres Almonester, Escribano, certifies he notified Luis Barbie, Warden of the Royal Prison, in person of the foregoing decree, who certifies that he holds as prisoner in his charge the person of Don Pablo Rocheblave. He does not sign as he does not know how to write.

Note: As there is no indication or mention of Rocheblave's having left prison after the examination, the "reencargar a pricion" must mean a formal charge and the warden's certificate is the official proof that he holds the body of the prisoner. "*Reencargar*" is obsolete. In very old dictionaries it is defined as "To recommend again, to recharge." The modern ones give "encargar," To recommend, charge, commission, commit, to take charge of, etc. This verb with the prefix "re" would mean to do again any one of the above acts.

These are the local conditions of that period in a criminal proceeding. After the crime is committed eye-witnesses are called, if possible, otherwise auricular ones who must tell what they know. If the evidence is sufficient the prisoner is ordered "secured," that he is put in prison for safe keeping though no charge is lodged against him until after his confession, or at least only a nominal one, very much as our material witnesses are now sometimes held. After further proceedings such as the prisoner's confession, declarations and interrogations of witnesses, etc., if the evidence so obtained warrants, the accused is "re-encargar a pricion," or more correctly speaking, a formal charge is brought against him and the warden of the prison is called upon to sign a certificate (if he can write, otherwise have his declaration verified) to the effect that he holds the person of the prisoner in the public jail. There he remains throughout the trial and for all further proceedings until the suit ends and he is either acquitted or convicted.

Whether or not the prisoner was allowed any special priviliges during this period, such as permission to go out under guard, etc., the records do not state, and there is no way of finding out unless at some future time a case is found wherein the "secured" prisoner either breaks jail, or is paroled on bond, if such a thing was granted, or else is permitted sick leave, or something to that effect. All criminal cases

found so far consist in a statement of the arrest or "securing" of the accused who is placed in jail, later when there is no doubt in the mind of the judge that the party is guilty the "Re-encargar" takes place, whereon the warden of the prison is called upon to certify to the imprisonment and that the accused named is still in his keeping.

On April 1, under order of Unzaga, Rocheblave is reinterrogated by Odoardo in the prison, in the presence of Almonester the Enscribano and the interpreter administers the oath and writes down the proceedings. Jacinto Panis acts as interpreter. This is called a "confession."

Questioned by Odoardo: How called? Where born? Age? State? Occupation?

Answer: His name is Pablo Rocheblave, he was born in Saboron, Delfinado, France; He is 37; married; his occupation that of a resident, he is an ex-officer of His Most Christian Majesty's troops.

Q. Who imprisoned him and for what cause?

A. He was put in prison by Jacinto Panis on an order from the Governor because an Englishman named Blanchard was robbed.

Q. Why was he charged with this robbery?

A. Doubtless because he stopped a canoe which came down from the upper river.

Q. If he remembers having made a declaration in these proceedings and if he would like it to be read to him so that it may become part of his confession?

A. He says he remembers having had it read to him, that it was as it had been set down, and that he had nothing to add to or take from it, and that he wishes it to be made a part of this his confession.

Q. Does he not know that it is a crime to rob, and that the laws have various penalties to punish the robber according to its gravity and circumstances; and that he has incurred punishment because the crime was committed on the public way and on a stranger to whom he owed hospitality and protection?

A. He knows that it is a crime punished in all parts of the world, but that he had not incurred punishment in this respect as he had done nothing other than to stop a pirogue that floated

down abandoned from the upper river, and had no person on board who could tie it up.

Q. He is charged with having said before that, when the pirogue was tied up to a stump by the side of a boat, its owners being asleep; "he would have hands that would have untied it," and that it is not presumable that if the owners had descended with it they would have abandoned it because of the cries and discharges of the guns as was explained in his declaration?

A. Others may have untied it because he was not on his plantation and the neighbors came at 8 o'clock on the same night as the robbery occurred. On the following morning at two some shots were fired to call the free negroes on the other side. The canoe was tied up five leagues distant and above his plantation, he could not in so short a time have walked five leagues ascending the river and then have returned to his house.

Q. Where was Jupiter on the night of the robbery, and who saw the canoe untied and who saw the men who came with it abandon it?

A. Jupiter slept in the kitchen with the little boy belonging to Mr. Chateaubeaudeau who brought his master's letter to assemble the people and that the said little boy was awakened in the morning and sent on horseback to give notice; he does not know if any person saw him stop the pirogue unless Jupiter was awakened and saw him, and neither does he know if anyone could have seen the men who abandoned the canoe.

Q. Did he not know that the things that were found abandoned and were in the canoe instead of being taken far off and hidden should have been presented (reported) and a search made for the owner so as to return them?

A. He said that not having anyone to go to in the city to whom he could present the merchandise it was necessary to retain it and that soon after an investigation was made and he was afraid that if they were found it would be presumed that he had done the robbery.

Q. He was charged with having said before under oath (thus adding this crime of perjury to the other), that when he took the merchandise he left the canoe because he did not know the author of the robbery, and that if it was his intention as he said it was to return the merchandise in good faith he should have held the canoe and given the sail to its owner

the day of the "dispute" (the day he threatened to kill Blanchard.) Let him be warned that attention to this legitimate question carries with it the obligation to answer under the penalty of perjury?

A. He said that he really did not know why he did not take the pirogue that it must have been because he forgot, and that he did not return the sail because he was afraid of being accused of the robbery but it was his intention to return every thing or else pay for them.

Although other questions were put to the prisoner concerning the case, he said that all was as he had stated, and having read his "confession" word for word and having well understood it he said it was true and according as it had been set down, and he signed and verified that what he answered was the truth under the oath he had taken. This is signed by Doctor Cecilio Odoardo, Jacinto Panis, Paul de Rocheblave. Attested by Andres Almonester.

April 12, Unzaga rules with Odoardo's advice that as it is evident the merchandise found among Pablo Rocheblave's things at the time of the seizure belong to Carlos Blanchard let him be put in possession of them. In accordance with this decree Almonester certifies that in his presence Joseph Ducros returned to Carlos Blanchard all his effects seized from Pablo Rocheblave and that Ducros is hereby relieved from all further responsibility in the matter.

May 28, Carlos Blanchard sets forth that he is satisfied, that all the merchandise of which he was robbed has been returned to him and from this time forth he drops all proceedings against Rocheblave. This is sent to Odoardo who advises Unzaga to rule as follows: That with the withdrawal Carlos Blanchard has made from this cause and the receipt for the merchandise which has been returned, there must be someone to represent the public to continue this suit. His Lordship says it is his duty to name and he names as prosecuting attorney (Promotor Fiscal) Leonardo Mazange, attorney of the Cabildo. Let the records of the case be turned over to him.

June 14, Leonardo Mazange sets forth that the robbery has been established in the place where it was committed and the testimony has been sustained by the confession of the accused. The robbery was committed on the Royal Highway, carried out

with force of arms and open violence. For reparation and in order that public vengeance (vindicta publica) may be satisfied he asks the defendant be punished with the penalty of the law. The Court rules: The accusation having been admitted send this to Rocheblave.

August 23, Mazange's petition is answered by Enrique Desprez, attorney for Rocheblave, with a long argument filled with extensive quotations of Roman Law in the original Latin. He reviews the case from the defendant's declaration and confession and the testimony of the witnesses, contending that although Carlos Blanchard's stolen effects were found hidden on his client's plantation that is no proof of his guilt, because he had merely removed them for safe keeping, intending to return them, then became frightened when the investigation was begun. He argues against Rocheblave having committed robbery in doing what he did and asks that he be absolved and declared free of the accusation made against him by the Promotor Fiscal. He prays that this case be declared definitely judged as the defendant has been sufficiently punished by being held in prison for five months.

September 2, Unzaga on Odoardo's advice orders this case to go to trial within 8 days.

September 3, Mazange as prosecuting attorney asks to have the testimony of Jean Paul, Jean Dubedat and Michael Conrado ratified by them. This is granted and on the same day Paul and Dubedat ratified their previous testimony. Mazange reports that Michael Conrado one of the said witnesses is absent, that he was a sailor in the same pirogue or some other boat and owing to his absence cannot verify his testimony. He asks that witnesses be called who will declare that they know the said Conrado was an honest man and a Christian and that they believe he spoke the truth when questioned under oath, and that these declarations be filed with the proofs. This is granted and Pedro Saint Pe and Nicolas de Lemothe both declare under oath that they consider Michael Conrado an honest man and a Christian and have reason to think he spoke the truth under oath.

Ratification of testimony was a special feature of Spanish Law as administered in Louisiana. Witnesses give their testimony either in declaration, confession or in answer to an interrogatorio. At a later period they are called upon to ratify what they have previously said. This process is called "Ratificacion de la Prue-

bas" and though sometimes omitted in civil suits it is rarely ever overlooked in criminal cases. The witnesses ratify their testimony, but they do not reiterate it, merely offering to give it again in case it is necessary.

"Ratification of the Proofs," like the "Publication of the Proofs," plays quite an important place in all trials before the Spanish Judges, and provision was made for it in Louisiana by O'Reilly's Code of 1769. The form followed in this case is as follows:

In the city of New Orleans on the third day of September of one thousand seven hundred and seventy-one, Señor Don Doctor Cecilio Odoardo, Assessor General for His Lordship, in virtue of the Commission which has been conferred upon him, before me the Escribano, received the oath of Juan Dubedat which he made by God and the Cross according to law under the charge of which he offered to speak the truth, and having read to him word for word the declaration which he has made in these proceedings on page six: he said that its contents is certain and the same that he declared on the particulars that he was questioned, that he has nothing to add to nor take from it, and that he affirms and ratifies it and in case of necessity he will say it anew; that he is of the age mentioned therein and that he signed with His Lordship (Odoardo) and Don Jacinto Panis Ayudante Major of this place who serves as Interpreter. To all of which I attest.

Jacinto Panis. Dubedat.

Before me Andres Almonester of Roxas,
Enscribano Publico.

Proofs of Rocheblave, September 7, Enrique Desprez, attorney, presents the interrogatorio upon which the witnesses for the Chevalier de Rocheblave will be questioned. These named are Mrs. Dartigat, his first neighbor, Juan Legros, a free negro, Juan Franc, white, Antonio Croiset, white, Joseph Fich, white, Juan Felix, free mulatto, Jacobo Raphael, free negro, and his brother-in-law Juan Baptiste Raphael, a free mulatto.

September 8, de Rocheblave says he suspects one called La Sausai (Jacques de la Saussaye) as being guilty of having stolen the pirogue and asks that he be summoned and questioned about it. Unzaga orders La Saussaye cited to appear before and be examined by the Assessor. Joseph Fich, white, Juan Felix, a free mulatto, Jacobo Raphael, a free negro, Juan Bautiste Rap-

hael, free mulatto, Juan Grot, (Legros) a free negro, Antonio Croiset, white, all give practically the same testimony to the effect that on the night of the robbery they were summoned by the firing of a gun which was a pre-arranged signal to repair to Mr. de Rocheblave's plantation to assemble and to go in search of some fugitive slaves.

On the same day Santiago de la Saussaye under oath before the Assessor declares that when the robbery occurred he was on Mr. Tizerot's plantation two leagues higher up but on the same side of the river as Rocheblave. Mr. Blanchard, who was robbed, made an investigation and witness was questioned but he did not know anything about the landing of the pirogue. He was asked if he had any of the stolen merchandise in his posession. He said that he had found a little chest containing various papers and a gold watch, these he returned to the owner in good faith. For the papers he was given a "dozen" and for the watch a "portuguese" (evidently some sort of coins.)

September 9, Desprez asks to have Claudio Dupre examined upon the interrogatorio, whose testimony however does not relate to the subject under investigation.

September 19, 1771, Unzaga on Odoardo's advice after reviewing the facts as above recited pronounces final judgment, saying there are two separate issues contained in this cause. The first for the restitution of property to the owner, and the second for the criminal prosecution by the State of Pablo de Rocheblave. The former has been settled and upon the latter, the accused is found guilty and is condemned to 5 years banishment from this Province and its environs. The first two (years) are obligatory, the other three at the will of this Tribunal. If the banishment is broken the penalty will be doubled and the criminal will be sent to work on the Royal Fortifications of the city of Havana, on rations and without pay. The culprit must go into banishment within 3 days. He is further condemned to pay costs including 3 pesos Assessor's fees for this definitive judgment. Costs taxed September 20, 1771, at 100 pesos, 6 reales.

Note: The record does not show what was done with de Rocheblave's property, seized at the beginning of the proceedings.

A JUDICIAL AUCTION SALE IN LOUISIANA, 1739

By Henry P. Dart.

This extremely interesting document is the proces verbal of an auction sale made in the Succession of Simon Rousset, deceased, a carpenter residing in New Orleans at the time of his death, January 16, 1739.

It is a valuable contribution to the history of legal procedure in the French colonial period and indeed is in itself a complete history of the method by which in those days the title of a deceased owner was divested and the asset reduced to cash for the benefit of his creditors and heirs.

It shows that immediately upon the death of Rousset, the Procureur (attorney) for Vacant Estates took charge of his sucession as there were no heirs of the decedent present or represented in the colony nor a surviving wife, the decedent being a bachelor.

This official (the Procureur for Vacant Estates) was an important factor in the governmental scheme of Louisiana but his existence has been overworked by our historians and the office and its importance was only disclosed when we began to study our French colonial archives.

The office was evidently a remunerative one and it was held from time to time by almost every man whose name figures in our ancient history. Indeed judging by our records, he was quite one of the busiest officials of that era because death came often to the doors of the hard working citizen and however paltry his belongings they were immediately taken over by the Procureur of Vacant Estates unless a will was found or the widow or heirs moved promptly for judicial recognition.

When the Procureur moved it was without dilatory tactics—the effects were sold at auction and the proceeds held to await the appearance of the lawful claimants. As there were no bankers in those days it appears the monies remained in the custody of this official, and it was sometimes lost through his death for more often than not his estate was insolvent.

Indeed insolvency was rather the normal condition of the majority of the estates left by the people of ancient Louisiana.

The proces verbal shows that on the day after Rousset's death, the Procureur obtained an order from Salmon, presiding

judge of the Superior Council, to sell the decendent's home which is described as "a miserable hovel built of stakes driven in the ground and covered with bark." Notices of the auction were posted by the huissier (Sheriff) on the following Sunday, January 18, 1739, for a sale to be held at the bar of the court on Tuesday, January 20th. The document does not show, but we know from other sources that, this notice was posted at the church door and perhaps also at the door of the court.

At nine o'clock in the morning, Tuesday, November 20th, before Judge Salmon, the property was cried and a bid of fifty livres (about $10 of our money) was offered. At eleven o'clock no other bids having been offered the sale was adjourned until Tuesday, January 27th, followed by posting of notices, and on that day at nine o'clock in the same place in the presence of Judge Salmon and the Procureur (Attorney) General of the Colony, a second crying was made and several bidders appeared. The last bid being 200 livres. The auction was then adjourned to the succeeding Tuesday, February 3rd at nine o'clock for the last and final crying of the sale. This third offer of the property was preceded by the publication (posting) of the sale in the usual places and by beating "the drum at all the crossings of the City."

The Sheriff began the last auction by describing with some elaboration the property to be sold, very much after the fashion of today and there was a very lively competition which is meticulously described in the proces verbal. The last bid of 330 livres was not covered before "the wax candle went out" and the property was adjudicated at that price, the purchaser paying in addition the costs of the sale.

This auction "by inch of candle" is a very curious incident of our ancient procedure. Historically it was of English origin and no doubt was adopted in France and Louisiana because of the fact that in England in the late 17th and early 18th Century all merchandise imported from the Indies was disposed of in that way. It was usual to set up an inch of candle and its lighting was the signal for bidding to begin. The person making the last bid before the fall of the wick became the purchaser. It is doubtful whether an inch was the limit of the candle because the authorities say:

"A small piece of candle is lighted at the beginning of the sale and the highest bid made before the wick falls is successful." (Century Dictionary, "Auction.")

The document furnishes as we have said full knowledge of our ancestral methods of selling by auction and it only remains to add that by the terms of the proces verbal the title passed to the purchaser upon payment of the price and this was required to be paid then and there in ready money.

I.

TRANSLATION[1]

By HELOISE H. CRUZAT

Louis &c[2] Greeting:

Be it known that following the petition presented by Sr. Dauseville, procureur of Vacant Estates in charge of the succession of deceased Simon Rousset, carpenter, who died in this City the sixteenth of last January, the order of M. de Salmon, First Judge of the Superior Council of Louisiana, on the petition dated the seventeenth of said month, decreeing that the piece of ground that he has in this City, adjoining Roumangou's lot, be sold after observing the required formalities, on which lot there is a miserable hovel built of stakes driven in the ground, covered with bark, by virtue of which order notices were posted and published the following Sunday, eighteenth of the said month of January, by Le Normand, huissier (sheriff), notifying that he would proceed to sell the said lot at auction at the bar of the Court Tuesday twentieth of January.

And on the said day, at nine o'clock in the morning, before Mr. de Salmon before the audience (session) ended after having repeated the (notice of) public sale, Mr. Louis Boissiere presented himself and bid the sum of fifty livres on the said lot, and, after having waited until eleven o'clock and no other bidders appeared, an order was interposed (evidently by Judge Salmon) that after giving Mr. Boissiere acte (certificate) of his bid, new notices be posted on the following Sunday, twenty-fifth of the

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[1]This document is evidently a first draft of the proces verbal and is very carelessly confected.

[2]Etc. means that ordinary text is here omitted, namely, LOUIS par la grace de Dieu Roy de France et de Navarre a tous ceux qui ces presentes verront Salut etc.

said month, to appear before M. de Salmon in the presence of the Procureur General Tuesday 27th where all persons will be permitted to bid on paying in ready money there and then the price of their adjudication and costs.

And on that day, January twenty-seventh, at nine o'clock in the morning the proces verbal of the posting and publication of the auction was read before the bidders and before the session ended Mr. Capraise Mathieu, indigo-maker in this colony, covered Sr. Boissiere's bid of fifty livres by the bid of one hundred and thirty livres; Sr. Jean Baptiste Bancio Piemont, a merchant of this city (carried it to) the sum of one hundred and forty livres; another bidder, also a merchant of this city, carried the bid to one hundred and fifty livres; Sr. Capraise Mathieu carried it to two hundred livres—

—and considering that under the order (and the practice), it is necessary to publish the name of the last bidder and post again for a third crying at the end of a third week, a decree is interposed that publication be made next Sunday, February first, and notices posted to proceed to the sale on the following Tuesday, before M. de Salmon where all persons will be permitted to cover the said bid of two hundred livres by paying then and there in ready money the price of their adjudication and costs,—

—and on the said day, February third, at nine o'clock in the morning during the session, and at the bar of the court, after posting the notices and publication in the usual places by the huissier (sheriff) and having made the sale public to the beat of the drum at all the crossings of the City, a number of bidders being present, after declaring in a loud and audible voice that the lot adjoining Roumagou and opposite Tourangeau, with a hut on it, of stakes in the ground, covered with bark, owned by the succession of Simon Rousset, would now be put up for sale and adjudicated finally where every one would be admitted to bid by paying then and there in ready money the price of the adjudication and costs;

—the said bid of two hundred livres was covered by Sr. Durcy at two hundred and five livres; by Gatien Bondit, called Loranger, at two hundred and ten livres; by said Sr. Durcy at two hundred and fifteen livres; by Sr. Capraise Mathieu at two hundred and forty livres; by Sr. Durcy at two hundred and forty-five livres; by Sr. Mathieu at two hundred and fifty livres; by Sr. Durcy at two hundred and fifty-five livres; by Sr. Mathieu at

two hundred and sixty livres; by Sr. Durcy at two hundred and sixty-five livres; by Sr. Mathieu at two hundred and seventy livres; by Sr. Durcy at two hundred and seventy-five livres; by Sr. Mathieu at two hundred and eighty livres; by Sr. Durcy at two hundred and eighty-five livres; by Sr. Mathieu at three hundred livres; by Sr. Durcy at three hundred and five livres; by Sr. Mathieu at three hundred and ten livres; by Sr. Durcy at three hundred and fifteen livres; by Sr. Mathieu at three hundred and twenty livres; by Sr. Durcy at three hundred and twenty-five livres; by Sr. Capraise Mathieu at three hundred and thirty livres and

—whereas the wax candle has gone out with no other bidders at its extinction, the lot is at its just value, it has been definitely adjudicated to Sr. Mathieu at the said sum of three hundred and thirty livres on condition that he pay the price of his adjudication in cash to Sr. D'auseville as Procureur of Vacant Estates and the costs incurred to the Greffier (Clerk) of the Council, in virtue whereof the said adjudicatee Capraise Mathieu will be put in posession of the said lot as it stands, that he and his may possess and enjoy the same without any molestation whatsoever, free from all debts, privileges and mortgages which may arise, considering that the said deceased Rousset died without having contracted marriage.

Given in the Chamber of the Council, eleven o'clock in the morning, February third, one thousand seven hundred and thirty-nine. (No signature.)

II.

FRENCH TEXT[1]

(11047) Feb. 1739. LOUIS &c[2] Salut scavoir faisons que Vu la Requete presentee par le Sr Dauseville procr aux biens vacans———charge de la succession de deffunt simon Rousset charpantier decede En cette ville le seizieme Janr dernier Lordonnance de Mer de Salmon pr Juge au Conel Supur de la Louisianne au bas de la dte Requete endatte du dix Sept dud mois concluant quel Emplacement quil a en cette ville attenant le terrain de Roumangou le meme soit vendue En observant les formalites Requises

[1]This document is evidently a first draft of the proces-verbal and is very carelessly confected.

[2]Etc. means that ordinary text is here omitted, namely LOUIS par la grace de Dieu Roy de France et de Navarre a tons ceux qui ces presentes verront Salut etc.

surlequel Terrain Il y a une mauvaise Baraque de Pieux En terre Converte dEcorsse, En vertu delaquelle ordonnance affiches apposees et publiees Le dimanche Suivant Le Dixhuitieme dud mois de Janr par Le Normand huissier portant quil seroit procede a ladjudication dud Emplacement a la Barre de La Cour Mardy vingtieme Janr et led Jour advenu Neuf heures du matin, pardevant Monsr de Salmon Laudiance tenante apres avoir Rendu la Vente publique sest presenté Le nommé Louis Boissière qui a mis led Emplacement a prix a la somme de Cinquante Livres et apres avoir attendu jusqua onze heures et quil ne sest point trouvé dautre Encherisseurs Est Intervenu Arret portant quapres avoir donné acte au Sr Boissière de son Enchère que Nouvelles affiches seront aposes Le Dimanche suivant Vingt Cinq dud mois pour en venir pardevant Monsr de Salmon en presence du procr general du Roy Le mardy Vingt Sept ou toutes personnes Seront receus aux Encheres En payant Comptant le prix de leur adjudication et les frais fait pour y parvenir Et le jour Vingt Sept janvier advenu a Neuf heures du matin ..... Les proces verbaux affiches et Rendu la vente publique Laudiance tenante sest presente Capraise Mathieu Indigotier en Cette colonie qui a Couvert lEnchere du Sr Boissiere de Cinquante Livres a la somme de Cent trente Livres, par le Sieur Jean Baptiste Bancio Piemont Marchand En cette ville a la somme de Cent quarante Livres, porte lEnchere aussy marchand en cette ville a la somme de Cent Cinquante Livres, et porte le dit Sr Capraise Mathieu a deux Cent Livres et attendu que pour Lordre Il est necessaire de faire publier noms et affiches pour en venir a troisieme criee et troisieme huitaine Est Intervenu arret qui ordonne que sera publie dimanche prochain pr fevrier Et affiche pour en venir a Mardy suivant pardevant mond Sr de Salmon et toutes personnes seront receus a Couvrir la d Enchere de deux Cent Livres en payant Comptant le prix de leur adjudication et les frais faits pour y parvenir et led jour troisieme fevrier Neuf heures du matin Laudiance tenante a la Barre de la Cour apres avoir apose les affiches faites et publies aux Endroits ordinaires par lhuissier et Rendu la dte vente publique au son du tambour dans tous les Carrefours de la ville et sestant trouve nombre dEncherisseurs apres avoir fait Lire a haute et Intelligible voix que lEmplacement situe attenant Roumagou et vis a vis Tourangeau ou il y a une Baraque dessus de pieux En terre Couverte dEcorsee appartenant a la succession de Simon Rousset alloit etre mis en vente et adjuge deffinitive-

ment ou toutes personnes Seront receus cy Enchere En y payant Comptant le prix de leur adjudication et les frais faits pour y parvenir La dte Enchere de Deux Cent Livres a ete Couverte par le Sr Durcy a deux Cent Livres, par Gatien Bondit dit Loranger a deux Cent dix Livres, pan le dt Sr Durcy a deux Cent quinze Livres, par le Sr Capraise Mathieu a deux Cent quarante Livres, par le Sr Durcy a deux Cent quarante Cinq Livres, par le Sr Mathieu a deux Cent Cinquante Livres, par le Sr Durcy a deux Cent Cinquante Cinq Livres, par le Sr Mathieu a deux Cent soixante Livres, par le Sr Durcy a deux Cent soixante et quinze Livres, par le Sr Mathieu a deux Cent quatre vingt Livres, par le Sr Durcy a deux Cent quatrevingt Cinq Livres, par le Sr Mathieu a trois Cent Livres, par le Sieur Durcy a trois Cent Cinq Livres, par le Sr Mathieu a trois Cent dix Livres, par le Sr Durcy a trois Cent quinze Livres, par le Sr Mathieu a trois Cent Vingt Livres, par le Sr Durcy a trois Cent Vingt Cinq Vingt Cinq Livres, par le Sr Capraise Mathieu a trois Cent trente Livres, et attendu que la Bougie est eteinte et quil ne sest plus trouve dautre Encherisseur alExtinction Le terrain est a sa juste valeur Il a ete adjuge deffinitivement aud Sr Mathieu a la dte somme de trois Cent trente Livres en payant le prix de son adjudication Comptant aud Sr D'auseville en sa qualite de proc^{r} aux biens vacans et les frais faits pour parvenir ez mains du greffier du Con^{el} au moyen de quoy led Capraise Mathieu adjudicataire sera mis en possession dud Emplacement tel quil est a leffet den jouir ——Luy et les siens comme de chose a Luy appartenante sans que pour Raison dece Il puisse etre Inquiete de quoique ce soit generallement quelconques —— exempt de toutes debtes privilges et hyopteques qui pourroient survenir attendu que led deffunt Rousset est decede sans avoir Contracte Mariage.

Donne En La Chambre du Conseil onze heures du matin le troisieme fevrier Mil Sept Cent trente neuf.

THE CONCESSION AT NATCHEZ

History of the Founding of the Colony and Its Destruction by the Natchez Indians.

INTRODUCTION

A world of interest is to be found in the story of the vast concessions of land made by the Company of the Indies to induce great people of France to invest their capital in Louisiana for the purpose of founding colonies here. The pitiful story of the inducements offered and of the losses incurred in the Natchez adventure is here developed for the first time. It sheds much light on one of those intense dramas of our colonial era, the great rising of the Indian tribe Natchez with the resulting massacre of that colony and the destruction of the most costly and at the same time most promising of all the efforts to colonize Louisiana under the Company of the Indies.

The document here printed is a petition addressed to the king by the owners of the concession asking that the Company of the Indies be condemned to pay the grantees 132,993 livres for losses sustained by them through this massacre, due to the action of the local authorities in deflecting the military forces at Natchez (whose upkeep was borne by the grantees), whereby the colony was left unprotected in violation of the agreement between the parties.

We do not know what decision was rendered upon the petition, but as we have a large volume of MSS copied from the archives of France bearing on the Concessions, it may be that this first instalment will direct attention to this pregnant source of our early history which would make fame and reputation for any student who undertakes the study of that subject.

Henry P. Dart.

Translation from the Louisiana Historical Society's Book of the Concessions, P. 167. Without Date, Probably 1731 or 1732.

BY HELOISE HULSE CRUZAT

To the King and to Our Lords of His Council.

Very humbly represent, the Marquis Dasfeld and Count of Belle Isle, Lieutenants General of Your Majesty; Louise Madelaine Le Blanc, widow, heiress of deceased Sieur Le Blanc, Sec-

retary of State, her father; and Gerard Michel de La Jonchere, Treasurer General of the Military Order of Saint Louis, that in 1719, the Company of the Indies wishing to populate and to increase in value the new Colony of Louisiana conceded to it by Your Majesty, engaged a great number of persons of note to take from it concessions of certain areas of land to have them cleared and to construct residences thereon, and among others, delivered to the petitioners four of the said concessions of four square leagues each for the establishment of which they associated themselves and spent the sum of 400,000 L. to raise and engage a great number of laborers and workmen of all trades and provided them abundantly with tools, provisions, ammunition and merchandise necessary for such an establishment.

And the Association did more, in this, that the Company of the Indies by the letters patent of Your Majesty, of the month of August 1719, carrying concession of the said new Colony of Louisiana was bound to maintain the number of troops and to there construct the fortifications necessary to insure the safety of the new Colonists, nevertheless to assure still more security to the workmen whom the petitioners sent to work in the midst of the savage and barbarous nations, deceased Sieur Le Blanc, one of them, proposed to the Company of the Indies to raise at their expense two companies of infantry of fifty men each and to send them to Port Louis, where the said Company would be responsible for their maintenance and pay and for their transportation to Louisiana, on condition that it would employ them to defend and protect their plantation.

Which having been accepted by the said Company by deliberation on November 18, 1719, signed by the seven Directors, the petitioners raised the two said companies of infantry and had them led to Port Louis from where they were to pass over to Louisiana, and they dare to say that they were the best sent there, commanded by very good officers, the petitioners having even added to the fifty men of which each was composed two supernumerary sargents, chosen men, known to have served well, and whom they had entirely at their expense, this precaution taken for the greater safety of their plantations was through the event entirely useless.

Three lots (grants) were distributed to them to form the residences and plantations, to wit: two near New Orleans, at the places named the Chaouachas and the Little Desert and an-

other at the Natchez, over eighty leagues above New Orleans in the interior of the Continent; and as the latter was most exposed to the savage nations, the two companies of infantry raised by the petitioners were at first sent there.

But the Directors of the Company of the Indies having "reformed them" in the year 1724 without regard to the agreement that the said Company of the Indies had taken with petitioners by the deliberation of November 18, 1719, and having since then maintained in the whole neighborhood of the Natchez but a small detachment though it was the most populous and the most useful of the places occupied by the French and the most exposed to the incursions of the Savages.

And it happened that the Natchez nation, on whose territory was the plantation of the petitioners, as well as those of several other new colonists, was so ill treated by a new Commandant who was placed there, that it determined in the month of November, 1729, to attack the French and they surprised them in such a manner that they were almost all killed without being able to defend themselves, and they destroyed all their plantations, those of the petitioners having been wiped out of existence.

The administrator named Desnoyers as well as all the whites were massacred and the negroes, numbering eighty-six, carried away by the said savages.

Whereon the petitioners very humbly represent to Your Majesty that as this plantation of the Natchez was in the best territory of the Colony they had employed their greatest funds, having thereon eighty-six negroes, Piece d'Inde, thirty-five to forty horses and a large number of horned cattle the day that it was destroyed by the Savages, and all the buildings necessary for the different needs of a large plantation and for the protection of 280 arpents of land in cultivation on which there were, among other things, from the crop of the said year twenty-five to thirty thousand hands of tobacco leaves which were ready for delivery to the clerk of the Company of the Indies, which were burnt by the Savages.

So that following the appraisement made in Louisiana of their loss by old residents to this Clerk, by the Superior Council, the actual loss amounted to 132,993 L. which they verify by the most authentic proofs and these results established that the cost to them was over 200,000 L. from the great expenses they were forced to make for an enterprise of this nature,

which they had been able to bring to the condition it was in only with workmen sent from France at large wages and great costs for transportation to the centre of the continent of America, at a distance of over one hundred and ten leagues from the mouth of the river,

and after having spent more than 400,000 L. eleven years ago, there remains to them but two poor plantations in the lower part of the Colony, near New Orleans, from which they do not hope to ever draw any product, as solely the one lost was beginning to produce something in tobacco to aid them in the payment of the debts that their clerk and those in command were not able to avoid incurring independently of the 400,000 L. they spent in France and for which they are daily prosecuted,

but the large loss they sustained and which prevents them from maintaining the two plantations left them can be attributed solely to the conduct of the Directors of the Company of the Indies and to the inexecution of their share of the agreement made with them by the deliberation of November 18, 1719,

it being evident that if the two companies commanded by good officers, raised at the expense of petitioners on the positive condition that they would be employed to guard and defend their plantation had been there, not only would the savages not have dared to attack them, but it would still subsist as well as all the other plantations of the environs in which perished over three hundred Frenchmen because there were not found in the great extent of the Natchez country but three officers and twenty soldiers, only four of whom were at the plantation of the petitioners, instead of two companies amounting to one hundred soldiers and eight officers who should have been there following the agreement made with the Directors; agreement without which the petitioners would not have risked as great an expense as they incurred for this enterprise, nor the lives of their employees and laborers.

The misfortune which befell all the Frenchmen who were at the Natchez should be doubly imputed to the Directors of the Company of the Indies, inasmuch as besides the general obligation following the letters patent of the concession of the Colony to the said Company to maintain there a sufficient number of troops to protect His Majesty's subjects who would undertake to establish plantations there, they were moreover obligated by

their agreement with the petitioners to maintain two companies of Infantry of fifty men each in that district,

and it is impossible that the Directors of the Company of the Indies can have imagined that a detachment of twenty men scattered through the plantations which covered six leagues, sufficed to insure their safety against a great number of savages in whose midst they lived, and this at the very time that the Commander undertook, on orders which he pretended came from the Director, to oblige these same savages, who had allowed them to settle peacefully among them, to abandon the remainder of their territory, where they had been established beyond the memory of man,

with the extraordinary incident that this nation was the only one on the continent with a temple in which a perpetual fire was kept up, to the conservation of which they were so devoted that when it had happened to become extinguished we had seen them relight it with such superstition that they threw their children into this pretended sacred fire, so that it was due to the orders given them to abandon in a month at latest their lands and their temples that drove them into fury and made them determine to surprise and massacre all the Frenchmen before the term set by the Commander.

Wherefore, Sir, may it please Your Majesty to condemn the Company of the Indies to pay the petitioners as an indemnity the sum of 132,993 L. to which amounts the actual loss caused by the destruction of their plantation at the Natchez, following the vouchers and appraisement made in execution of a decree of the Superior Council of Louisiana, on October seventh, one thousand seven hundred and thirty, on the offers made by the petitioners to credit the said Company of the Indies with the sums for which they are indebted to it for negroes and other supplies by remitting to the said Company the receipts of their clerks and overseers of the administration of their plantations.

Not signed.

Note: We have prepared from the Superior Council records and will soon print a translation of the Inventory of the Chouaches and Little Desert Concessions, also of the sale of the same in January, 1738.—Ed. La. Hist. Qy.

ORIGINAL TEXT FROM THE LIVRE DES CONCESSIONS.
P. 167. SANS DATE PROBABLEMENT 1731 OU 1732.

Au Roy et a Nos Seigneurs de Son Conseil.

Remontrent trés humblement les Marquis Dasfeld et Comte de Belle Isle, Lieutenants Généraux de Votre Majesté, Louise Madelaine Le Blanc, veuve heritiére du feu Sieur Le Blanc, Secretaire d'Etat, son pére, et Gerard Michel de la Jonchere, Trésorier Général de l'Ordre Militaire de Saint Louis, qu'en 1719 la Compagnie des Indes voulant peupler et mettre en valeur la nouvelle de la Louisianne a elle concédée par Votre Majesté a engagé un grand nombre de personnes de considération de prendre des concessions d'elle de certaines quantitez de terres considérables pour les faire défricher et y construire des habitations, et a entr'autres délivré aux supliants quatre des dites concessions de quatre lieues chacune en quarré pour l'établissement desquelles ils se sont associés et ont dépensé la somme de 400,000 L. pour lever et engager un grand nombre de laboureurs et ouvriers de tous métiers et les fournir abondamment, d'outiils, vivres, munitions et marchandises nécessaires pour un pareil établissement, et la Société fit plus en ce qu'encore que la Compagnie des Indes par les lettres patentes de Votre Majesté du mois d'Aoust 1719 portent concession de la dite nouvelle colonie la Louisianne fut tenue d'y entretenir le nombre de trouppes et d'y construire les fortifications nécessaires pour mettre les nouveaux colons en sûreté néanmoins pour en procurer encore une plus grande aux ouvriers que les supliants envoyoient travailler au milieu des nations sauvages et barbares; le feu Sieur Le Blanc, l'un d'eux, proposa a la Compagnie des Indes de lever a ses dépens deux compagnies d'Infanterie de cinquante hommes chacune et de les faire rendre au Port Louis où la dite Compagnie se chargeroit de leur entrtien et solde et de les faire passer a la Louisianne a condition qu'elle les y employeroit a la garde et conservation de son habitation, ce qui ayant été accepté par la dite Compagnie par délibération du 18 Novembre 1719 signée des sept Directeurs, les supliants auroient levé les dites deux compagnies d'Infanterie et fait conduire au Port Louis d'où elles auroient passé a la Louisianne et ils ozent dire qu'elles ont été les meilleures qui y aient été envoyé commandées par de tres bons officiers, les supliants y ayant même outre les cinquante hommes chacune dont elles étoient composées ajouté aussi a

chacune deux sergens surnumeraires, gens choisis et connus pour avoir bien servis, qu'ils ont eu entiérement a leurs dépens, cette precaution pour la plus grande sûreté de leurs habitations, a été par l'évènement inutile.

Il leur fut distribué trois terrains pour former les habitations et plantations, scavoir: deux près de la Nouvelle Orleans, aux lieux nommés les Chouachas et le petit désert, et une autre aux Natchez a plus de quatre-vingts lieues au dessus de la Nouvelle Orleans dans l'intérieur du continent et comme cette dernière étoit le plus exposée aux nations sauvages, les deux compagnies d'Infanterie levées par les supliants y furent envoyées d'abord, mais les Directeurs de la Compagnie des Indes les ayant réformées en l'annee 1724 sans avoir egard a l'engagement que la dite Compagnie avoit pris avec les supliants par deliberation du 18 novembre 1719: et n'ayant depuis entretenu dans tout le quartier des Natchez qu'un tres petit détachement quoy que les plus nombreaux et le plus utile de tous ceux qui étoient occupés par les francais et le plus exposé aux incursions des sauvages, et il est arrivé que la nation Natchez sur le territoire de laquelle étoit l'habitation des supliants, ainsy que celle de plusieurs autres nouveaux colons, a été si fort maltraitté par un nouveau Commandant qui y avoit été mis, qu'elle s'est déterminé au mois de Novembre 1729 a attaquer les francais et les a surpris de maniere qu'ils ont presque tous été tués sans se mettre en deffenses, et ont détruit toutes leurs habitations, celle des supliants l'ayant été entierement, le regisseur nommé Desnoyers ainsy que tous les blanc ayant été massacrés et les negres au nombre de quatre vingt six emmenez par les dits sauvages sur quoy les supliants remontrent tres humblement a Votre Majesté que comme cette habitation des Natchez étoit dans le meilleur territoire de la Colonie ils y avoient employé leurs plus grands fonds y ayant guatre vingt six negres piece d'Indes, trente cinq a quarante chevaux et un nombre considerable de bestes a cornes le jour qu'elle a été détruite par les sauvages, tous les batimens nécessaires pour les différents besoins d'une grande habitation et pour mettre a couvert les productions de 280 arpents de terre en valeur sur lesquelles il avoit entre autres choses recueilly a la récolte de la ditte année vingt cinq a trente milliers de tabac en manocques qui étoit prest a estre livré au commis de la Compagnie des Indes et que les sauvages ont bruslé, en sorte que suivant l'estimation qui a été faite a la Louisianne de leur perte

par des anciens habitans a ce commis par le Conseil Supérieur au dit pays la perte effective qu'ils ont faite monte a 132,993 L. ce qu'ils justiffient par les preuves les plus autentiques et ces effets établis scuivants leur ont couté plus de 200,000 L. par les grandes dépenses qu'ils ont été obligez de faire pour une entreprise de cette nature qu'ils n'avoient pu mettre au point ou elle étoit qu'avec des ouvriers envoyez de France a gros gages et avec de trés grands frais pour les transporter au centre du continent de l'Amerique et a plus de cent dix lieues de l'embouchure du fleuve et apres avoir dépensé plus de 400,000 L. il y a onze ans. il ne leur reste que deux mauvaises habitations dans le bas de la Colonie pres de la Nouvelle Orleans desquelles ils n'esperent pas tirer jamais aucun produit n'y ayant que celle qu'ils ont perdu qui commencoit a étre en etat de produire quelquechose en tabac pour les ayder a payer les dettes que leurs commis et préposez n'ont pu s'empêcher de faire independamment des 400,000 L. qu'ils ont dépensé en France et pour lesquelles ils sont journellement poursuivis, mais la grande perte qu'ils ont faite et qui les met hors d'état de soutenir les deux habitations qui leur restent ne peut être imputée qu'a la conduite des Directeurs de la Compagnie des Indes et a l'inexecution de leur part de la convention faite avec eux par la délibération du 18 novembre 1719 étant évident que si les deux compagnies commandées par de bons officiers levées aux frais des supliants a la condition expresse qu'elles seroient employées a la garde de leur habitation y avoient été, non seulement les sauvages n'auroient ozé entreprendre de l'attaquer et qu'elle subsisteroit encore aussi bien que toutes les autres habitations des environs dans les quelles il a pery plus de trois cents francais parce qu'il ne s'est trouvé alors dans toute cette grande étendue de pays de la nation des Natchez que trois officiers et vingt soldats dont quatre seulement étoient a l'habitation des supliants au lieu de deux compagnies faisant cent soldats et huit officiers qui devoient y être suivant la convention faite avec les Directeurs, convention sans laquelle les supliants n'auroient pas hasardé une aussi grande dépense que celle qu'ils ont faite pour cette entreprise, ny la vie de leurs employés et ouvriers.

Le malheur arrivé a tous les francais qui étoient aux Natchez doit etre doublement imputé aux Directeurs de la Compagnie des Indes en ce qu'outre l'obligation générale ou ils étoient par les lettres patentes de concession de la colonie a la dite com-

pagnie, d'y entretenir un nombre de troupes suffisantes pour protéger les sujets de Votre Majeste qui entreprendroient d'y former des plantations ils étoient encore obligéz par raport a leur convention avec les supliants d'entretenir deux compagnies d'Infanterie de cinquante hommes chacune dans ce quartier, et il est impossible que les Directeurs de la Compagnie des Indes ayent imaginé qu'il suffisoit d'un détachement de vingt hommes répandus dans des habitations qui s'étendoient dans plus de six lieues de pays pour les mettre en sûreté contre l'irruption du grand nombre de sauvages au milieu desquels ils étoient et cela dans le temps même que le Commandeur entreprenoit sur des ordres qu'il prétendoit avoir du Directeur, d'obliger ces mêmes sauvages qui nous avoient laissé paisiblement établir parmy eux, de luy abandonner le reste de leur territoire, sur lequel ils étoient établis de temps immémorial, avec cette circonstance particuliere que c'estoit la seule nation du contient qui eût un temple dans lequel elle entretenoit un feu perpétuel a la conservation duquel ils étoient si attachez que lorsqu'il leur étoit arrivé de le laisser éteindre nous les avions vu le rallumer avec une si grande superstitution qu'ils jetoient leurs enfans dans ce prétendu feu sacré, en sorte que ce sont les ordres qui leur avoient été d'abandonner dans un mois pour tout délay leurs terres et leurs temples qui les ont mis en fureur et les ont déterminé a surprendre et massacrer tous les francais avant le terme que le Commandeur leur avoit donné.

A ces causes, Sire, plaise a Votre Majesté condamner la Compagnie des Indes a payer aux supliants par forme d'indemnité la somme de 132,993 L. a quoy monte la perte effective qu'ils ont faite par la destruction de leur habitation des Natchez suivant les pieces justificatives et l'estimation faite en exécution d'un arrest du Conseil Supérieur de la Louisianne du sept octobre mil sept cent trente aux offres que les suppliants font de tenir compte a la dite Compagnie des Indes des sommes qu'ils se trouveront luy devoir pour fourniture de negres ou autres en leur remettant par la dite Compagnie des reçus de leurs commis et préposés a la régie de leurs habitations.

Non Signé.

"A REIGN OF TWENTY DAYS"*

PIERRE CLEMENT DE LAUSSAT

By Andre Lafargue.

It has been said—and in my opinion most erroneously—that the Americans, essentially a modern, practical and progressive race, were too busy with the problems of the day, with their intense commercial pursuits and with their keen delight in sporting and athletic activities to give thought to the past or to show any interest whatever in the history of their forebears. This may be true of the great majority of our countrymen but we have a very respectable minority of citizens who take time to pause in their hurried lives or daily routine to pay homage to their ancestors and to render due praise to those who in the pioneering days have set us a shining example of patriotism, heroism and self sacrifice. The gathering of tonight, certainly in so far as Louisianians are concerned, amply refutes the assertion that history does not appeal to the Americans.

We believe in busying ourselves with the affairs of the day, we are a commercial people and we are athletically inclined, for we are strong advocates of the old maxim, "a sound mind in a sound body," "mens sana in corpore sano," we act in the living present but we likewise glory in the past and we seek to derive profit, emulation and inspiration from the deeds of those who in the years gone by have set us a worthy example and have helped to found and develop this beautiful State of ours under primitive and most trying circumstances.

As Americans we are fairminded and we give due praise where it belongs. We are not unmindful of the difficulties which our forefathers encountered in their work of colonization and their memory remains forever enshrined in our hearts and minds.

It is fitting and proper therefore that we should dwell now and then upon the achievements of those who lived when "men were men" in the true sense of the word, when the magnitude of the tasks assigned them, the primitive surroundings, the lack of proper facilities, the danger that lurked on every side, the antagonism from men and beasts and the passions de-

*A paper read before the Louisiana Historical Society on February 27th, 1925.

veloped by the spirit of adventure called for a display of strength of body, fortitude of mind and stoutness of soul seldom encountered in the history of the world. Those who crossed the mighty Atlantic to sow the seeds of civilization and Christianity in the virginal soil of America, those who helped to found, settle and develop the various colonies which later on were blended into these glorious United States of America, were indeed men whom we may look up to with a feeling of combined exultation and reverence, men whose memory should prove an incentive, a refreshing inspiration, at our present time —the age of luxury, of ease, of pleasure and of self gratification.

This paper does not deal with a pioneer or early colonist, in the strict sense of the word. It does not refer to the days of the discovery of the mouth of the Mississippi by the heroic Norman, Cavelier de La Salle, nor is it an attempt to depict the hardships and tribulations which Iberville, Bienville and their followers were called upon to undergo in order that we today should live in peace and contentment, in our beautiful city on the banks of the Mississippi River. Tonight I simply wish to sketch very briefly the life and the doings of one who performed a task of great significance and historic bearing at a period of time which might be referred to as the "Last Phase of French Domination in Louisiana," and as the work was done under most trying circumstances and in a manner to reflect great credit upon the one who performed it I have felt that the subject would prove of interest to my fellow members.

I have entitled this paper "A Reign of Twenty Days" because the period of our history that I propose to discuss, and which of course I can only touch upon very briefly, are the twenty days that intervened between the retrocession of Louisiana by Spain to France and the transfer from France to the United States, and the man whose deeds I refer to is Pierre Clement de Laussat.

The limited time that has been assigned to me and the fact that I wish to keep this paper within the confines of the subject, prevent me from dwelling to any extent upon the events that led up to the retrocession of the Province of Louisiana from Spain to France and the sale and transfer of the same country from France to the United States.

Historians have commented upon the subject time and again with varying opinions. It is, however, a matter of history and an incontroverted one, that when France obtained from Spain on October 1st, 1800, through the Treaty of San Ildefonso, the return of its former colony, it fully intended to keep it. In the darkest and stormiest days of the French Revolution there were prominent Frenchmen who strongly urged that the lost province should be retroceded. A large element of the French nation had never taken kindly to the arbitrary and unjust cession that had been made to Spain some forty years previous through the short sighted and apathetic policy of the then Prime Minister of France, the Duc de Choiseul, the very minister that would not listen to the impassioned plea of the aged and venerable Bienville and of the emissaries sent by the Louisiana colonists to Paris in an endeavor to have the French Government reconsider its unfortunate decision. Republican France unquestionably sympathized most heartily with the spirit of independence and of loyal devotion to the mother country shown by the hot-headed and impulsive but warm-hearted Louisianians. And even in the days of the monarchy there were many in France whose blood must have boiled with indignation when they heard of the outrages heaped upon the rebellious colonists by their new master. They must have flushed with shame over what their government had done when word was brought to them of the defiant stand taken by the leaders of the Louisiana colony who were shot down in cold blooded murder because of their refusal to renounce their allegiance to the throne of France. The arbitrary and sanguinary executions conducted under Don Alexander O'Reilly must have had far reaching echoes on the shores of France. Had the matter of the retention of the colony been left to a plebiscite doubtless Louisiana would have never been arbitrarily turned over to Spain, as a "wedding gift" as certain historians have called the transaction.

The First Consul, the greatest statesman of his age, the man whose comprehensive and universal genius allowed nothing to escape his attention, from the time that he first heard of the colony took deep and lasting interest in its career and destiny. He must have deprecated the step taken by the Duc de Choiseul. He at once made up his mind that the colony should be returned to France and he personally directed the conclu-

said month, to appear before M. de Salmon in the presence of the Procureur General Tuesday 27th where all persons will be permitted to bid on paying in ready money there and then the price of their adjudication and costs.

And on that day, January twenty-seventh, at nine o'clock in the morning the proces verbal of the posting and publication of the auction was read before the bidders and before the session ended Mr. Capraise Mathieu, indigo-maker in this colony, covered Sr. Boissiere's bid of fifty livres by the bid of one hundred and thirty livres; Sr. Jean Baptiste Bancio Piemont, a merchant of this city (carried it to) the sum of one hundred and forty livres; another bidder, also a merchant of this city, carried the bid to one hundred and fifty livres; Sr. Capraise Mathieu carried it to two hundred livres—

—and considering that under the order (and the practice), it is necessary to publish the name of the last bidder and post again for a third crying at the end of a third week, a decree is interposed that publication be made next Sunday, February first, and notices posted to proceed to the sale on the following Tuesday, before M. de Salmon where all persons will be permitted to cover the said bid of two hundred livres by paying then and there in ready money the price of their adjudication and costs,—

—and on the said day, February third, at nine o'clock in the morning during the session, and at the bar of the court, after posting the notices and publication in the usual places by the huissier (sheriff) and having made the sale public to the beat of the drum at all the crossings of the City, a number of bidders being present, after declaring in a loud and audible voice that the lot adjoining Roumagou and opposite Tourangeau, with a hut on it, of stakes in the ground, covered with bark, owned by the succession of Simon Rousset, would now be put up for sale and adjudicated finally where every one would be admitted to bid by paying then and there in ready money the price of the adjudication and costs;

—the said bid of two hundred livres was covered by Sr. Durcy at two hundred and five livres; by Gatien Bondit, called Loranger, at two hundred and ten livres; by said Sr. Durcy at two hundred and fifteen livres; by Sr. Capraise Mathieu at two hundred and forty livres; by Sr. Durcy at two hundred and forty-five livres; by Sr. Mathieu at two hundred and fifty livres; by Sr. Durcy at two hundred and fifty-five livres; by Sr. Mathieu at

and he felt that there was a community of sentiment, ideals and aspirations as between the Louisianians and the citizens of the adjoining Republic which would warrant the sale and transfer which circumstances compelled him to enter into. He would have us Americans but not English. Napoleon liked Louisiana. Had the geographic situation of the colony been a different one, had the province been close at hand, Napoleon would have never given it up. It is therefore quite natural that we of Louisiana should have always felt a special admiration for the greatest captain of all times, the one who sleeps today in a halo of glory and immortality under the dome of the Invalides, on the banks of the river Seine, among the French people that "he always loved so dearly" as he himself has said.

While it is true France did not carry out the very elaborate program which she had mapped out for the retrocession and transfer of Louisiana, while the expedition which General Victor was to have led and taken to Louisiana never left the shores of Holland and eventually had to be countermanded because of the sale of the province to the United States, it is none the less true that the ceremonies, the functions and the formalities incident to the retrocession of the colony from Spain to France and the transfer from the latter country to the United States, were carried out with all the solemnity, the splendor and the dignity which the character of these events of transcendental importance called for. And all of this was done and brought about thanks to the one man who represented at the time in Louisiana the mighty French Republic.

Among the many Spanish, American and French functionaries who figured prominently in the never to be forgotten ceremonies which attended the retrocession of Louisiana from Spain to France on November 30th, 1803, and which twenty days later, on December 20th, 1803, witnessed the ratification of the sale and transfer from France to the United States, none took a more important or trying part than Pierre Clement de Laussat, the Colonial Prefect and Commissioner whom France had sent several months previous vested with extraordinary powers and who for week after week waited in vain for the vast armada and the important expedition which he expected General Victor to lead to Louisiana. Laussat has been criticized for some of the things that he did. Historians have referred to him as a man of great haughtiness and supersensitiveness. Others have

commented upon what they considered his inordinate vanity and his lack of judgment and tactfulness. There are some who even have written that the First Consul did not think very highly of his ability. Be that as it may. It cannot be questioned but that his position shortly after his arrival in Louisiana became most unbearable and trying.

He came to the province with a very small retinue of civil and military officers, as a matter of fact a very scant household for a man of his exalted rank. He had been appointed Colonial Prefect and vested with powers second only to those of General Victor, the Captain General or Governor General of the Province, and he had arrived in New Orleans fully prepared to carry out his mission in most effective and dignified fashion. He was accompanied by his wife and children. By birth and education they were both fully qualified to carry out the social amenities which the office called for. Laussat had acquired previously considerable executive and administrative ability and experience and was therefore fully qualified to perform his official duties. He was still young—in his forties—ambitious, energetic and intensely patriotic. Though dignified in his bearing and manners, though at times somewhat grandiloquent (he was a Gascon), he was liberal minded and devoted to the principles of democracy upon which the French Republic had been founded. Of handsome and commanding appearance, simply and tastefully clad at all times, his courteous and chivalrous manners and his entire demeanor stamped him as a leader of men, one to the manor born. His clean cut features, broad forehead and soulful eyes, the intense intellectual light and force of character which radiated from his countenance, rendered him conspicuous in any assemblage. One only has to look carefully at his picture which hangs today in the Sala Capitular at the Cabildo to be convinced that he was a true child of the Revolution, but an intellectual revolutionist, if I may so express myself. One gets the impression upon seeing that picture that Laussat was of the Robespierre type, not of the Danton or Marat type. Whoever has seen Ramon Navarro in that great moving picture film depicting scenes of the French Revolution and sessions of the "Convention" or High Tribunal, "Scaramouche," can get a very fair idea, I imagine, of just how Laussat must have looked as a Conventionnel. A Republican at heart, a liberal every inch of him, an enemy of autocracy and

ment ou toutes personnes Seront receus cy Enchere En y payant Comptant le prix de leur adjudication et les frais faits pour y parvenir La dte Enchere de Deux Cent Livres a ete Couverte par le Sr Durcy a deux Cent Livres, par Gatien Bondit dit Loranger a deux Cent dix Livres, pan le dt Sr Durcy a deux Cent quinze Livres, par le Sr Capraise Mathieu a deux Cent quarante Livres, par le Sr Durcy a deux Cent quarante Cinq Livres, par le Sr Mathieu a deux Cent Cinquante Livres, par le Sr Durcy a deux Cent Cinquante Cinq Livres, par le Sr Mathieu a deux Cent soixante Livres, par le Sr Durcy a deux Cent soixante et quinze Livres, par le Sr Mathieu a deux Cent quatre vingt Livres, par le Sr Durcy a deux Cent quatrevingt Cinq Livres, par le Sr Mathieu a trois Cent Livres, par le Sieur Durcy a trois Cent Cinq Livres, par le Sr Mathieu a trois Cent dix Livres, par le Sr Durcy a trois Cent quinze Livres, par le Sr Mathieu a trois Cent Vingt Livres, par le Sr Durcy a trois Cent Vingt Cinq Vingt Cinq Livres, par le Sr Capraise Mathieu a trois Cent trente Livres, et attendu que la Bougie est eteinte et quil ne sest plus trouve dautre Encherisseur alExtinction Le terrain est a sa juste valeur Il a ete adjuge deffinitivement aud Sr Mathieu a la dte somme de trois Cent trente Livres en payant le prix de son adjudication Comptant aud Sr D'auseville en sa qualite de proc^{r} aux biens vacans et les frais faits pour parvenir ez mains du greffier du Con^{el} au moyen de quoy led Capraise Mathieu adjudicataire sera mis en possession dud Emplacement tel quil est a leffet den jouir ——Luy et les siens comme de chose a Luy appartenante sans que pour Raison dece Il puisse etre Inquiete de quoique ce soit generallement quelconques —— exempt de toutes debtes privilges et hyopteques qui pourroient survenir attendu que led deffunt Rousset est decede sans avoir Contracte Mariage.

Donne En La Chambre du Conseil onze heures du matin le troisieme fevrier Mil Sept Cent trente neuf.

THE CONCESSION AT NATCHEZ

History of the Founding of the Colony and Its Destruction by the Natchez Indians.

INTRODUCTION

A world of interest is to be found in the story of the vast concessions of land made by the Company of the Indies to induce great people of France to invest their capital in Louisiana for the purpose of founding colonies here. The pitiful story of the inducements offered and of the losses incurred in the Natchez adventure is here developed for the first time. It sheds much light on one of those intense dramas of our colonial era, the great rising of the Indian tribe Natchez with the resulting massacre of that colony and the destruction of the most costly and at the same time most promising of all the efforts to colonize Louisiana under the Company of the Indies.

The document here printed is a petition addressed to the king by the owners of the concession asking that the Company of the Indies be condemned to pay the grantees 132,993 livres for losses sustained by them through this massacre, due to the action of the local authorities in deflecting the military forces at Natchez (whose upkeep was borne by the grantees), whereby the colony was left unprotected in violation of the agreement between the parties.

We do not know what decision was rendered upon the petition, but as we have a large volume of MSS copied from the archives of France bearing on the Concessions, it may be that this first instalment will direct attention to this pregnant source of our early history which would make fame and reputation for any student who undertakes the study of that subject.

Henry P. Dart.

Translation from the Louisiana Historical Society's Book of the Concessions, P. 167. Without Date, Probably 1731 or 1732.

BY HELOISE HULSE CRUZAT

To the King and to Our Lords of His Council.

Very humbly represent, the Marquis Dasfeld and Count of Belle Isle, Lieutenants General of Your Majesty; Louise Madelaine Le Blanc, widow, heiress of deceased Sieur Le Blanc, Sec-

carried out with firmness and efficiency and in a manner that reflected great credit upon the Colonial Prefect and the French nation. The social festivities that were held during that brief period in honor of the retiring Spaniards and the many courtesies that were exchanged with the incoming American representatives and officials did full justice to the early training and education of the Prefect, who was a man of the world in every sense of the word. He reorganized the militia and local troops, gave them a new and efficient commander, M. de Bellechasse, dissolved the Cabildo or Spanish colonial and legislative council, appointed a new form of municipal government, giving to the city its first mayor, Etienne de Bere, and a municipal council of twelve and saw to it that the city fathers during the ten times that they met prior to American occupancy enacted laws and regulations some of which are still embodied in the ordinances now in force.

And finally when on the morning of December 20th, 1803, in the historic Sala Capitular, he stood on the dais, with W. C. C. Claiborne at his right and General James Wilkinson at his left, though intensely disappointed, nay heart broken at having to transfer to a foreign government a province over which he had expected some day to exercise supreme authority as the representative of his mighty country, with great dignity and in most solemn and authoritative fashion he handed to the American commissioners the keys to the forts of the city entwined with the tricolor of his beloved France, thus relinquishing ceremoniously and punctiliously an authority and the exercise of a power which he had every reason to hope would have lasted indefinitely at the time he left for the colony on board the "Surveillant," some twelve months previous.

Flanked by the high commissioners of the United States he appeared for the last time in an official capacity on the balcony of the Cabildo, as soon as the proces verbal of ratification and transfer had been signed by him and by the representatives of America. What great sorrow must have come upon him as he saw stretched out and lined up on every side of the Place d'Armes the vast throng that attended the ceremony. Speaking of the ceremonial of the transfer in his memoirs he says: "The beautiful and elegant ladies of the city adorned the balconies overlooking the square. At none of the preceding ceremonies had there been such a large attendance of spectators.

The eleven balconies of the Hotel de Ville (the Cabildo) were filled with beauties, clad in the height of Parisian fashion. There they stood in mute but eloquent silence, realizing the seriousness of the occasion and doubtless feeling as he did that it was a pity that the French flag should have to be hauled down. But Laussat to all appearances bore the ordeal unflinchingly. It was not the time nor the place to give vent to emotion. He was the Colonial Prefect, the High Commissioner of his government appointed to carry out a task of solemnity and dignity and to the last he bore himself as a true and distinguished son of France. History tells us that after the French flag had been lowered, Dusseuil, who had received it, and his companions, brought it to the Prefect and left it in his care. After they withdrew from his presence what conflicting emotions he must have felt as he gazed upon the folds of the banner which was never to float again as an emblem of dominion over the province. The scene would have been worthy of a great painter. What thoughts must have run in his mind and what great sorrow must have swept over him as he looked upon the tri-color that had waved triumphantly but alas too briefly, from the top of the staff on the Place d'Armes, today Jackson Square, during the twenty days that he presided over the destinies of the colony as its chief and supreme executive. But he was a man and a true son of France. He had lived in stirring times. He knew the importance of carrying out to the letter the wishes of his First Consul, he knew also that he had filled his part with manly dignity and with the full observance of all the forms and regulations which the ceremonies over which he presided called for. He knew that the Spaniards and the Americans who lived in New Orleans had their eyes trained upon him and would unhesitatingly and unmercifully criticize and ridicule him if he did not measure up to expectations. And having done his work well, faithfully and to the great admiration of all concerned, as he stood respectfully before the emblem of his country, which had ceased to float triumphantly and authoritatively in Louisiana, he must have bent over, kissed its precious folds and said unto himself: "My master need have no worry." The ceremonies of retrocession and the subsequent transfer were not a "hollow farce" as some historians have seen fit to term these events. France took formal possession of Louisiana and turned it over to the United States with all the pomp, the splendor and

which they had been able to bring to the condition it was in only with workmen sent from France at large wages and great costs for transportation to the centre of the continent of America, at a distance of over one hundred and ten leagues from the mouth of the river,

and after having spent more than 400,000 L. eleven years ago, there remains to them but two poor plantations in the lower part of the Colony, near New Orleans, from which they do not hope to ever draw any product, as solely the one lost was beginning to produce something in tobacco to aid them in the payment of the debts that their clerk and those in command were not able to avoid incurring independently of the 400,000 L. they spent in France and for which they are daily prosecuted,

but the large loss they sustained and which prevents them from maintaining the two plantations left them can be attributed solely to the conduct of the Directors of the Company of the Indies and to the inexecution of their share of the agreement made with them by the deliberation of November 18, 1719,

it being evident that if the two companies commanded by good officers, raised at the expense of petitioners on the positive condition that they would be employed to guard and defend their plantation had been there, not only would the savages not have dared to attack them, but it would still subsist as well as all the other plantations of the environs in which perished over three hundred Frenchmen because there were not found in the great extent of the Natchez country but three officers and twenty soldiers, only four of whom were at the plantation of the petitioners, instead of two companies amounting to one hundred soldiers and eight officers who should have been there following the agreement made with the Directors; agreement without which the petitioners would not have risked as great an expense as they incurred for this enterprise, nor the lives of their employees and laborers.

The misfortune which befell all the Frenchmen who were at the Natchez should be doubly imputed to the Directors of the Company of the Indies, inasmuch as besides the general obligation following the letters patent of the concession of the Colony to the said Company to maintain there a sufficient number of troops to protect His Majesty's subjects who would undertake to establish plantations there, they were moreover obligated by

their agreement with the petitioners to maintain two companies of Infantry of fifty men each in that district,

and it is impossible that the Directors of the Company of the Indies can have imagined that a detachment of twenty men scattered through the plantations which covered six leagues, sufficed to insure their safety against a great number of savages in whose midst they lived, and this at the very time that the Commander undertook, on orders which he pretended came from the Director, to oblige these same savages, who had allowed them to settle peacefully among them, to abandon the remainder of their territory, where they had been established beyond the memory of man,

with the extraordinary incident that this nation was the only one on the continent with a temple in which a perpetual fire was kept up, to the conservation of which they were so devoted that when it had happened to become extinguished we had seen them relight it with such superstition that they threw their children into this pretended sacred fire, so that it was due to the orders given them to abandon in a month at latest their lands and their temples that drove them into fury and made them determine to surprise and massacre all the Frenchmen before the term set by the Commander.

Wherefore, Sir, may it please Your Majesty to condemn the Company of the Indies to pay the petitioners as an indemnity the sum of 132,993 L. to which amounts the actual loss caused by the destruction of their plantation at the Natchez, following the vouchers and appraisement made in execution of a decree of the Superior Council of Louisiana, on October seventh, one thousand seven hundred and thirty, on the offers made by the petitioners to credit the said Company of the Indies with the sums for which they are indebted to it for negroes and other supplies by remitting to the said Company the receipts of their clerks and overseers of the administration of their plantations.

Not signed.

Note: We have prepared from the Superior Council records and will soon print a translation of the Inventory of the Chouaches and Little Desert Concessions, also of the sale of the same in January, 1738.—Ed. La. Hist. Qy.

ideals, constitute a veritable achievement for which we should be forever thankful to de Laussat.

There can be no question but that de Laussat was a great friend of Louisiana. From the day that he set foot upon its soil to the time of his departure, which took place in hurried and secret fashion, through fear of his falling into the hands of the English, de Laussat recognized fully the growing importance of the province, its geographical and strategic position and the many laudable traits of the inhabitants of the country, although not blind to their faults. And so we can truly say that the Twenty Days of the de Laussat regime were a credit both to his country and to those whose destinies he had expected to guide for a much longer period of time.

WILLS OF THE FRENCH COLONIAL PERIOD IN LOUISIANA

Transcribed and translated from the original documents in the Archives of the Superior Council of Louisiana.

By HELOISE H. CRUZAT

(1) Marie Grissot, first midwife in the Colony, dated: Dec. 22, 1718. Made at Fort Conde.

(2) Monseigneur Thiton de Silegue, Kerlerec's Secretary, dated Jan. 10, 1759.

EDITORIAL NOTE

These old wills represent the act of testamentary disposition as it was expressed in the Colony at the beginning and at the close of the French regime.

Both instruments are interesting to students of the law, and represent among other things the great variation between the legal effect of testamentary disposition as then and as now permitted.

The Grissot will is nuncupative and the form employed carries out legal requirements still in vogue in Louisiana. It contains very curious provisions, and exerts a testamentary power unknown to this generation. She devises her property to one with reversion to another legatee, and still holding on after death directs the stripping of the second legatee of her legacy in the event of the occurance of contingencies mentioned in the will.

The will of de Silegue is noteworthy for the spelling of the word olographic which was and is the correct orthography of the word in Louisiana as I have shown in the paper on the Library of a Louisiana Lawyer of the 18th Century.[1] The will also creates a trust in the executor to deliver the testator's estate "to those whom I have verbally named to him and who have a right to my Succession."

HENRY P. DART.

WILL OF MARIE GRISSOT

(55267)

TRANSLATION

Dec. 22, 1718. Testament of Dame Grissot. (7331.)

Before us, Notary Royal of Louisiana and the witnesses hereafter named and undersigned, was present Marie Grissot, Maitresse Midwife in this Colony, residing in this City, at the said Fort Condé, in bed,

[1] 25. La. Bar Assn. Reports 1924 p. 12-29.

par des anciens habitans a ce commis par le Conseil Supérieur au dit pays la perte effective qu'ils ont faite monte a 132,993 L. ce qu'ils justiffient par les preuves les plus autentiques et ces effets établis scuivants leur ont couté plus de 200,000 L. par les grandes dépenses qu'ils ont été obligez de faire pour une entreprise de cette nature qu'ils n'avoient pu mettre au point ou elle étoit qu'avec des ouvriers envoyez de France a gros gages et avec de trés grands frais pour les transporter au centre du continent de l'Amerique et a plus de cent dix lieues de l'embouchure du fleuve et apres avoir dépensé plus de 400,000 L. il y a onze ans. il ne leur reste que deux mauvaises habitations dans le bas de la Colonie pres de la Nouvelle Orleans desquelles ils n'esperent pas tirer jamais aucun produit n'y ayant que celle qu'ils ont perdu qui commencoit a étre en etat de produire quelquechose en tabac pour les ayder a payer les dettes que leurs commis et préposez n'ont pu s'empêcher de faire independamment des 400,000 L. qu'ils ont dépensé en France et pour lesquelles ils sont journellement poursuivis, mais la grande perte qu'ils ont faite et qui les met hors d'état de soutenir les deux habitations qui leur restent ne peut être imputée qu'a la conduite des Directeurs de la Compagnie des Indes et a l'inexecution de leur part de la convention faite avec eux par la délibération du 18 novembre 1719 étant évident que si les deux compagnies commandées par de bons officiers levées aux frais des supliants a la condition expresse qu'elles seroient employées a la garde de leur habitation y avoient été, non seulement les sauvages n'auroient ozé entreprendre de l'attaquer et qu'elle subsisteroit encore aussi bien que toutes les autres habitations des environs dans les quelles il a pery plus de trois cents francais parce qu'il ne s'est trouvé alors dans toute cette grande étendue de pays de la nation des Natchez que trois officiers et vingt soldats dont quatre seulement étoient a l'habitation des supliants au lieu de deux compagnies faisant cent soldats et huit officiers qui devoient y être suivant la convention faite avec les Directeurs, convention sans laquelle les supliants n'auroient pas hasardé une aussi grande dépense que celle qu'ils ont faite pour cette entreprise, ny la vie de leurs employés et ouvriers.

Le malheur arrivé a tous les francais qui étoient aux Natchez doit etre doublement imputé aux Directeurs de la Compagnie des Indes en ce qu'outre l'obligation générale ou ils étoient par les lettres patentes de concession de la colonie a la dite com-

pagnie, d'y entretenir un nombre de troupes suffisantes pour protéger les sujets de Votre Majeste qui entreprendroient d'y former des plantations ils étoient encore obligéz par raport a leur convention avec les supliants d'entretenir deux compagnies d'Infanterie de cinquante hommes chacune dans ce quartier, et il est impossible que les Directeurs de la Compagnie des Indes ayent imaginé qu'il suffisoit d'un détachement de vingt hommes répandus dans des habitations qui s'étendoient dans plus de six lieues de pays pour les mettre en sûreté contre l'irruption du grand nombre de sauvages au milieu desquels ils étoient et cela dans le temps même que le Commandeur entreprenoit sur des ordres qu'il prétendoit avoir du Directeur, d'obliger ces mêmes sauvages qui nous avoient laissé paisiblement établir parmy eux, de luy abandonner le reste de leur territoire, sur lequel ils étoient établis de temps immémorial, avec cette circonstance particuliere que c'estoit la seule nation du contient qui eût un temple dans lequel elle entretenoit un feu perpétuel a la conservation duquel ils étoient si attachez que lorsqu'il leur étoit arrivé de le laisser éteindre nous les avions vu le rallumer avec une si grande superstitution qu'ils jetoient leurs enfans dans ce prétendu feu sacré, en sorte que ce sont les ordres qui leur avoient été d'abandonner dans un mois pour tout délay leurs terres et leurs temples qui les ont mis en fureur et les ont déterminé a surprendre et massacrer tous les francais avant le terme que le Commandeur leur avoit donné.

A ces causes, Sire, plaise a Votre Majesté condamner la Compagnie des Indes a payer aux supliants par forme d'indemnité la somme de 132,993 L. a quoy monte la perte effective qu'ils ont faite par la destruction de leur habitation des Natchez suivant les pieces justificatives et l'estimation faite en exécution d'un arrest du Conseil Supérieur de la Louisianne du sept octobre mil sept cent trente aux offres que les suppliants font de tenir compte a la dite Compagnie des Indes des sommes qu'ils se trouveront luy devoir pour fourniture de negres ou autres en leur remettant par la dite Compagnie des reçus de leurs commis et préposés a la régie de leurs habitations.

Non Signé.

Item Also wills and intends the said testatrix that the said Widow Duman jointly and in concert with Mr. Huve, or any other committed to same by him in his absence, shall see to all that concerns these effects or the preservation of those at her disposal belonging to her said nephew, and to follow her advice, and to execute and carry out the present testament to augment rather than diminish, the testatrix has named Mr. Huve, priest, Cure of this City, her good friend, praying him to take this trouble and to augment rather than diminish it, in whose hands the testatrix dispossessed herself of all her property until valuation and execution of this present testament, desiring that it be carried out following the Custom, revoking all other testaments and codicils that she may have made heretofore, this being the only one she acknowledges as her last will.

This made, dictated and said by the said testatrix to the said Notary in the presence of the said witnesses, undersigned, the present testament having been read and reread to her, she said that she heard it well and wishes that it be executed according to its form and tenor as her last will. Done and passed at Fort Louis of Louisiana, in the house where the said Dame Grissot is ill, on the twenty-second of December, one thousand seven hundred and eighteen, in the afternoon, in the presence of Sr. Poirier, Mrs. Le Sueur and Pierre Graniche, witnesses residing at the said place signing with the said Dame Grissot and others.

(Signed) "marie grissot" "Alexandre huve present"
"Millet" "Desnerd" "Raguet"
"graniche" no^re^

(55267.)

ORIGINAL TEXT

22 Xbre 1718 Testament de la dame Grissot. (7331.)

Pardevant Nous Notaire Royal a La Louisianne et Les temoins cy aprés Nommés et Sousignés fut présent Marie grissot Maîtresse Sage femme en cette colonie dem^te^ en cette Ville au dit fort Condé au Lit malade de Corps touttefois Saine dEsprit et mémoire Et Entendement ainsy quil Est aparu aud^t^ No^re^ Et témoins par ses parolles, gestes et Maintien, Laquelle Considérante quil Nest Rien Sy certain que la mort, Ny chose plus Incertaine que Le Jour Et Lheure dIcelle, ne voulant décéder sans avoir ordonné de sa sépulture et disposé des biens quil a plu à dieur et à sa divine

Bonté Infinie Luy prêter et départir en ce mortel monde, a fait dicter et Nommer son testament Et ordonnance de derniere Volonté en la forme Et maniére qui Ensuit au Nom du pere Et du fils et du St Esprit ainsy soit il.

Prem^{t} Comme Vraye Chretienne Et catolique a Recommandé Et Recommande son âme quand Elle partira de son Corps à Dieu le pere tout puissant à la glorieuse Vierge marie et à tous les saints Et saintes de paradis: les priant dEtre ses Intercesseurs envers Notre sauveur et Rédempteur Jesus Christ afin que son âme soit mise en paradis au Nombre des Bien heureux.

Veut Et Entend Lad^{te} testatrice que ses dettes soient payée et torts par Elle faits si aucuns se trouvent par Lexecuteur du présent testam^{t} cy après Nommé.

Item desire Et ordonne que son Corps soit Inhumé Et Enterré Dans le Cimetiere de cette paroisse.

Item donne Et Légue a Messieurs les prestres Curé de cette Ville la somme de quarante piastres Valent Cent quarante quatre livres, Une fois payé pour prier dieu pour Elle.

Item déclare quelle doit aux cy aprés Scavoir au Sr trepagnié trente deux livres dix sols à Monsieur huvé prestre Soixante Et dix livres au Sr Louis Burel Sept livres quatre sols â la Compagnie Suivant le livre journal du Sr Durand à qui Elle S'en Raporte En Luy tenant Compte de ses appointements de sage femme

en france â Mad^{e} Boisteue deux cent cinq livres, aux petites orphelines de Rochefort trente six livres

Item déclare quil Luy Est deub par Rochelois deux Barilade Mahy en Epie

Item Veut et Entend la dte testatrice qu'André penigaut pére d'andré penigaut, son neveu âgé d'environ dix a onze ans, Soit Entierement Exclud de sa succession sans jamais y pouvoir Rien prétendre que ce soit Ny Etre chargé du peu de biens quelle laisse a sond^{t} Neveu, Voulant que ce soit les Nommés Cy aprés qui en soient chargés, ou a leur deffaut tel autres personnes quil plaira à Mess^{s} Les Supérieurs Nommer Et â légard de tous generallme^{t} ses autres biens tant meubles quimmeubles quelle a En ce pays provenant de ses gains, travaux et acquets qui se trouvent â elle appartenir au jour de son Déceds sans En Rien Réserver Ny Retenir, lad^{te} testatrice Les donne Et Légue â son d Neveu andré penigaut fils de defunte sa Mere et du d André pénigaut le con-

Historians have commented upon the subject time and again with varying opinions. It is, however, a matter of history and an incontroverted one, that when France obtained from Spain on October 1st, 1800, through the Treaty of San Ildefonso, the return of its former colony, it fully intended to keep it. In the darkest and stormiest days of the French Revolution there were prominent Frenchmen who strongly urged that the lost province should be retroceded. A large element of the French nation had never taken kindly to the arbitrary and unjust cession that had been made to Spain some forty years previous through the short sighted and apathetic policy of the then Prime Minister of France, the Duc de Choiseul, the very minister that would not listen to the impassioned plea of the aged and venerable Bienville and of the emissaries sent by the Louisiana colonists to Paris in an endeavor to have the French Government reconsider its unfortunate decision. Republican France unquestionably sympathized most heartily with the spirit of independence and of loyal devotion to the mother country shown by the hot-headed and impulsive but warm-hearted Louisianians. And even in the days of the monarchy there were many in France whose blood must have boiled with indignation when they heard of the outrages heaped upon the rebellious colonists by their new master. They must have flushed with shame over what their government had done when word was brought to them of the defiant stand taken by the leaders of the Louisiana colony who were shot down in cold blooded murder because of their refusal to renounce their allegiance to the throne of France. The arbitrary and sanguinary executions conducted under Don Alexander O'Reilly must have had far reaching echoes on the shores of France. Had the matter of the retention of the colony been left to a plebiscite doubtless Louisiana would have never been arbitrarily turned over to Spain, as a "wedding gift" as certain historians have called the transaction.

The First Consul, the greatest statesman of his age, the man whose comprehensive and universal genius allowed nothing to escape his attention, from the time that he first heard of the colony took deep and lasting interest in its career and destiny. He must have deprecated the step taken by the Duc de Choiseul. He at once made up his mind that the colony should be returned to France and he personally directed the conclu-

tume Révoquant tous autres testaments Et codicilles quelle pourroit avoir fait avant Celuy-ci auquel Seul elle s'arreste Comme Estant sa derniere Volonté.

Ce... fait, dicté Et Nommé par lad^{e} testatrice aud^{t} Notaire présence desd témoins Sou^{s} à Ellé lu et Relu le présent testament quelle a dit bien Entendre Et Veut quil Soit Executé selon so forme Et teneur Etant sa derniere Volonté, fait et passé au fort Louis de la Louisianne En la maison ou Est malade lad^{e} Dame grissot Le Vingt deux Decembre, Mil sept Cent dix huit de Relevée présence des Sieurs poirier Mad^{e} Le Sueur Et pierre graniche temoins dem^{t} aud Lieu Sou S avec lad^{e} Dame Grissot Et autres;

marie grissot Alexandre huvé present
Millet Desnerd Raguet
graniche no^{re}

II.

WILL OF THITON DE SILEGUE.

Translation

1759.
Jan. 10.
Titon de Silegue
olographic
will,
(55433)
(7355)

As there is nothing more certain than death and more uncertain than its hour and wanting to anticipate it, I Pierre Thiton de Silegue, undersigned, that I be not surprised by it, for this reason I have written myself the dispositions of my olographic testament, which I earnestly pray the testamentary executor whom I shall hereinafter name to execute punctually.

First, I pray the Holy Virgin and all the Saints to intercede for me before God that He may receive my soul as soon as it will be separated from my body into the ranks of the Blessed.

As I have always lived in the Catholic, apostolic and Roman religion, I will and I desire that my body be interred with those of the faithful Christians and as modestly as can be done.

I will and intend that all my debts be paid and acquitted and wrongs repaired, if any there are. I give and bequeath to the poor the sum of one thousand pistolles[1] which I pray my

[1]Spanish or Italian money of the value of ten francs of France. Translator.

testamentary executor to remit as soon as possible that they may pray God for the repose of my soul.

And for the executor of the present olographic testament, I name, constitute, and beg Mr. Jean Soubie to kindly be my testamentary executor, willing and intending that he take possession of all my goods, actions, property rights, without being held to take an inventory of same of which he will be exempt if he judges proper, the said goods to be afterwards delivered by him to those whom I have verbally named to him and who have a right to my succession, not being willing that the Attorney of Vacant Estates interfere, in any manner whatever, in my succession.

The present dispositions written and signed by my hand are such as my will dictates to me; I persist therein and will and desire that they be executed in all their form and tenor. Made in duplicate, one of which was sent to the Registry sealed and the other remitted by me to the said Sr Jean Soubie, my testamentary executor, who has been willing to take charge of it. In faith of which I have signed at New Orleans, January 10th, one thousand seven hundred and fifty-nine.

Signed: "Thiton de Silegue."

TESTAMENT DE THITON DE SILEGUE.

Original Text

1759.
10 janvr
Titon de Silegue.
testament
elographe.
(55433)
(7355)

Comme il n'y a rien de plus Certain que la mort, et de plus incertain que L'heure D'icelle, et Voulant la prévenir, Je, Pierre Thiton de Silegue Soussigné ay voulu prévenir de ne pas en être Surpris et pour Cela j'ay écrit moy même les Dispositions de mon testament elographe que je prie instamment L'executeur testamentaire que je nommeraye Cy aprés D'exécuter ponctueleemwnt. Premiérement, Premiérement, je prie la Ste Vierge et tous les Saints D'intercéder pour moy auprés de Dieu afin qu'il recoive mon âme aussitot qu'elle Sera Separée de mon Corps au Rang des Bienheureux. Comme j'ay tourjours Vécu dans la religion Catholique, apostolique et romaine, je veux et je désire que mon corps soit anterré avec Ceux des fidelles chrétiens et le plus Modestement que faire se pourra.

Je veux et entends que toutes mes deptes Soient payées et aquitées, et torts reparés Si aucun il y a. Je donne et Légue aux

pauvres la somme de Cent pistolles[1] que je prie mon exécuteur testamentaire de Délivrer aussitôt qu'il Sera possible afin qu'ils prient Dieu pour le repos de mon âme, et pour L'exécuteur du présent testament olographe je nomme, Constitue et prie Monsieur Jean Soubie, de vouloir bien être mon exécuteur testamentaire Voulant et entendant qu'il S'empare de tous mes biens, actions, noms, raisons et Droit, Sans être nullement tenu d'en faire inventaire, de quoy il sera exempt s'il juge à propos, pour ensuite être les dits biens par luy délivrés à Ceux que je luy ay nommés verballement et qui ont droit à ma succession, ne voulant nullement que le procureur aux biens Vacants S'immisce en aucune facon quelconque dans ma succession.

Les presentes dispositions écrittes et Signées de ma Main sont telles que ma Volonté me dicte; j'y persiste et veux et Désire qu'elles soient exécutées dans toute leur forme et teneur fait double Dont un envoyé au greffe cacheté et L'autre remis par moy au dit Sr Jean Soubie mon exécuteur testamentaire qui a bien voulu S'en charger en foy de quoy j'ay Signé à la N^elle^ Orleans, le dix janvier Mil Sept Cent Cinquante Neuf.

Thiton de Silegue.

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[1]Pistole, monnaie étragére, en or, qui valait dix francs de France.—Translator.

IMPERIAL ST. LANDRY[1]

THE MOTHER OF PARISHES

By Gilbert L. Dupre.

Mr. Chairman, Ladies and Gentlemen:

I was born in the Parish of St. Landry over sixty-seven years ago, upon my father's plantation, then a beauty spot. It was a hunter's paradise. My father, his father and grandfather were men of means. Our home was feudal in its magnificence. The mansion, with an immense gallery, with rooms eighteen by twenty, and a dining room easily converted into a dance hall. We had room for company, and for our friends the latch-string was on the outside. The negro quarters, spic and span, were occupied by slaves beloved by the master, beloved by the slave.

I grew up among these people, and long after their emancipation I played with the colored boys, hunted with them—the rabbit by day, the 'possum by night—and I am free to confess that the happiest years of my life were spent on the plantation, where I learned to ride, to shoot and to tell the truth; to stand for what I believed to be the right, regardless of consequence to myself. That "cowards die many times before their death, the valiant never taste of death but once." I remember that we frequently had company for dinner. We always had claret at that meal. After dinner I have seen the long table converted into a round one and the men folks sit down to a quiet game of poker, with silver dollars for chips.

We had dogs of all kinds. Pointers, setters, hounds. My father bred them in profusion. He was a fine shot. Would leave home in the morning and return in the afternoon with a wagonette filled with game. He drank whiskey and wine in moderation. Played poker, raised game chickens, and had a good time while living—and when he went to the undiscovered country, he carried with him the love and esteem of his fellowmen—and he did this within the brief space of forty-seven years. Pardon these personal allusions.

I am an ante-bellum product. I saw my oldest brother leave under his state's flag, and he never returned. I saw my father

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[1]Address delivered by Gilbert L. Dupre of St. Landry before the Louisiana Historical Society, at the City of New Orleans.

This manuscript was received too late to be printed with the paper on St. Landry by Judge Sandoz in the April Quarterly.

We must also add that the Quarterly is not responsible for the opinions therein expressed. We aim to permit the utmost freedom of thought to our contributors, especially on debatable subjects, but without endorsing the same.

and the next oldest one take their shotgun and assist in putting down a riot in 1868. The men of St. Landry had returned from the tear-stained hills of Virginia. They had their paroles in their breast pockets. They accepted defeat, but they never understood that to mean that their slaves should rule over them. The first attempt, which was the only one in St. Landry, resulted in the carpetbagger being horsewhipped from out the parish; the ringleaders among the negroes promptly arrested and executed. This riot established firmly that, though our soil had been overrun, the spirit of our people was invincible. This occurrence in St. Landry had a far-reaching effect. It taught the people of the North and of the civilized world that the negro might be emancipated but rule over the whites of the South he never would.

"Heroes in gray with hearts of gold," followers of Lee and Jackson and Johnson and Beauregard, were unsubdued to the extent that the white people of the South should rule or perish. And rule they did. St. Landry's riot is embalmed in history. In Mr. Blaine's great work, "Twenty Years of Congress," Vol. 11, page 410, he recites the fact:

"In the Parish of St. Landry, where the Republicans had prevailed in the spring election by a majority of 678, not a single vote was counted for General Grant, the returns giving to Mr. Seymour the entire registered vote—4,787. In other parishes the results, if less aggravated and less startling, were of like character, and the State, which the Republicans had carried, at an entirely peaceful election in the spring, by a majority of more than 12,000, was now declared to have given Mr. Seymour a majority of 47,000."

The result was obvious. The whites had but recently whipped the blacks into subjection, and they had marched to the polls and cast their ballots for Seymour and Blair, rather than for Grant and his running mate. And I saw St. Landry travel through the woes of reconstruction, to these piping times of peace—great, grand and glorious, beautiful in her march always.

The Attakapas country embraced in earlier years what is now known as St. Martin, Iberia, Lafayette, St. Landry. The parish seat of St. Landry, Opelousas, is the oldest town in the state, Natchitoches excepted. St. Landry was, when created, an empire within itself. The Atchafalaya on the East, the Sa-

bine on the West. Imagine a judge presiding over such territory. My father did this. I recall as late as 1876, when our Judge and District Attorney would drive to Lake Charles and hold court. One hundred miles without even a trail. No molly-coddles in those days!

Calcasieu was the first parish to be created from out St. Landry. This was, I believe, in 1840. Later on, in order to multiply offices for the Scallywags, the Parish of Cameron was created. This was in 1866 or 1868. Then in 1886 Acadia was created. In 1911 Evangeline was created and about the same time Imperial Calcasieu was divided and from out of this arose Allen, Beauregard, Jefferson Davis. So that from out the domain which originally comprised St. Landry, we have the Seventh Congressional District composed of the parishes following: Acadia, Calcasieu, Jefferson Davis, Allen, Beauregard, Cameron, Evangeline, and St. Landry.

Calcasieu being thus cut up, her claim to imperialism fell, and old St. Landry, the mother of parishes, became imperial once more, to remain such until Time shall be no more. Why imperial? Because of its fair women and brave men. Because of its soil, its climate; by reason of its advancement marching onward and forward to the better day which must soon overtake us. Why, sirs, our climate is unsurpassed. Our soil a blessing. You tickle it with a hoe and it will smile with a harvest. Our Atchafalaya lands will equal the delta of the Nile. Our marsh lands, now being reclaimed, will withstand cultivation for 25 years without fertilization. I know of such lands being cultivated for a longer period and always yielding an abundant harvest.

And you can grow and gather, under one inclosure, corn, cotton, cane, rice, potatoes. Vegetables grow in profusion and flowers, "the lovely smiles of God's goodness," grow luxuriantly, wild, as it were. And the people of Opelousas love flowers. This certifies to their refinement. Every flower that grows about a home certifies to the refinement of some one living within.

Our school facilities are an outstanding feature of the parish. Instead of a school house, as formerly, between wide stretches over the vast Savannahs of our native plains, we have one within elbow reach of every child, and we transport them daily to and from these institutions of learning. With gravel

roads leading North, South, East and West from the parish seat the remote inhabitants flock to Opelousas upon all occasions.

We have built roads over impenetrable swamps. Have annihilated distances, so that upon many occasions the Court House Square and adjoining ones in Opelousas are filled with cars, parking space being in great demand.

We have raised and shipped without extra help 53,907 bales of cotton up to November 10 of the present year. We have shipped cane galore. Have sold rice in abundance. We are shipping sweet potatoes, "Red Bird Sweets," to Kansas City and elwhere, with the result the farmer and his tenants have bank accounts, and the white and black are often found elbowing one another in depositing the proceeds of the bumper crops raised in old St. Landry.

We have outlived the one crop idea. We have not only learned to rotate but to renovate and diversify as well. The agricultural schools and colleges have turned out boys who can analyze the quality of our soil and can make two blades of grass grow where one grew before. We are certainly on the upgrade, growing, expanding, multiplying and replenishing our soil, our people, to the extent we can say to our sister parishes: "The old mother, with the breath of a new life dawning upon her, is imperial still. You sprang from our loins, bone of our bones, flesh of our flesh." Dismembered to the fullest extent, old St. Landry has risen, Phoenix-like, from its ashes, a chief among equals, the fairest of them all—imperial forevermore.

This is indeed a feeble sketch of St. Landry. Land of my birth! To me the dearest spot on earth. My hope is that when I am called to solve the Great Adventure my eyes will be closed in Opelousas, and with the last remaining breath I will bless the land that gave me birth. I love its soil. I love its people. We are cosmopolitan to the core. Originally of French and Acadian descent, the American is now with us. My children are descended from a Connecticut Yankee on the mother's side. That's a good cross. Creole on one side, Yankee on the other. In the crossing of breeds, the best traits predominate in the result. If my children have any sense, if the grandchildren hold their own against all comers, and if the great-granddaughter, "the sweetest lass that ever ran over the greensward," obtains a foothold, they will owe it to their mother and grandmother

and great-grandmother, whose love for them is as wide as the Atlantic, as bottomless as the lower region, if any such exists.

"Oh, Christ! it is a goodly sight to see
What Heaven hath done for this delicious land!"

I have shown it is peopled with fair women and brave men, that its climate is favorable to longevity, that its soil is unrivaled, and that its educational facilities are keeping step to the music of the times. We have all this to make us happy, and yet we have men in our parish—men in the State, men in the nation—who wish to mar, and have marred, our personal rights, our personal liberties with an impious hand. It is the first step that costs. Thereafter the sailing is easy. The rights of the States have been dwarfed, the Nation magnified. So that instead of the nicely balanced scheme of government provided for in the Constitution of these United States we have a central government in Washington presiding over and attempting to regulate our local affairs—restrain our personal rights. This is a disturbing element. What the outcome will be I cannot foretell, but I do know that these United States would be better governed if what affected the Nation was treated in Washington and that which affected the States were left for them to ajudge. "An indestructible Union composed of indestructible States."

I am willing to stand upon this decree and turn my face to the future. The adoption of the eighteenth amendment was a legal transgression of a high-handed nature. Its enforcement by the National Government is as much of a blight as was the enforcement of Reconstruction with the aid of the Federal drum beat. A people who have drunk temperately from a "time whereof the memory of man runneth not to the contrary," dislike to be driven to water only. And this in the face of the Divine Command that recites:

"Wine maketh glad the heart of man."

And of the later mandate:

"Drink no longer water, but use a little wine for
thy stomach's sake."

Yes, my friends, national prohibition was and is a mistake. Its Federal enforcement is a failure. Every man's home was formerly his castle

> "The poorest man may in his cottage bid defiance to all the force of the Crown. It may be frail; its roof may shake; the wind may blow through it; the storms may enter; the rain may enter—but the King of England cannot enter; all his forces dare not cross the threshold of the ruined tenement!"

Now from the Nation's seat it is held irreverent. The Government's hirelings, its spies, can easily obtain a warrant and invade the home, when formerly death would have met the intruder upon the doorsteps. What is the remedy? Let the Government manufacture, regulate and sell whiskey, wine and beer. The bootlegger, the natural result of attempted enforcement of this sumptuary law, will disappear. No man would buy White Mule from a bootlegger, or the poison stuff he is said to vend, if he could go to a drug store, or to some bonded warehouse, and obtain the prescriptions we now secure.

My friends, there is not a headache in a barrel of the stuff that I now obtain at a drug store. And the Government would not dispense to its people whiskey or wine or beer other than such as was manufactured under a pure food act, or some other regulation, whereby the whiskey would be pure, the wine and beer unadulterated. The rich and the poor would then be placed upon a footing of equality. The rich man could drink his wine at his leisure, the poor man at his pleasure—moderately at all times. Then you would behold a virile nation like the French, the Dutch, the Swede, the Norwegians, and adjoining us the Canadians. Canada has solved the liquor question, Sweden has done it, France did not have to resort to Government control. The other nations did, and with them all is well.

This topic may be displeasing to some of you. I cannot help that. My ancestors (God bless them) drank whiskey, drank wine, played poker, attended horse races, and I have not read of any disgrace which attached to them. On the contrary, they left their footprints on the sands of time—and I should be unworthy of them, unworthy of myself, if I did not here, in this oasis, protest against the legislation which permits a fanatic to dictate to me what I should drink. Life is as best a sore travail. It is to many of us a weary pilgrimage. Death would in many instances be welcomed with delight, but that the dread of something after, which estops the desire, the attempt.

Why not adopt the Roman motto which reads:

"Dum vivimus, vivamus."
"While we live, let us live."

Let the orange of life be sucked dry. When death comes, say to him: "Old fellow, you can have the peelings."

I am quite sure I am not here for long. I am not repining. I have had a —— of a good time. I have not enjoyed myself as much in recent years, because of my inability to hear—hear the voices of my grandchildren and the great-granddaughter.

"Sweet is the voice of the lute, to those who have not heard the prattle of their children."

But I can see them. Hear them with my eyes. Observe their growth, watch their mind's development, and, doing this, I hope and pray that they will live up to the record of Louisianians, of St. Landrians, with spirit and step as free as that of the bounding deer, firm, manly, and proud as that of the McGregor when his foot was upon the heather of his native hills, and his eyes looked upon the peak of Ben Lomond.

Proud of the land that gave them birth, proud of their state , their parish, with sovereignty resting beneath their hats; with the right to think for themselves, the right to speak what they think, to eat what they prefer, to drink what they choose in the fear of God only, subject to the Golden Rule; to do no harm to others, to do unto them as they would be done by; to place service above self, for home and native land; and to maintain for old St. Landry her former grandeur, her present prestige—the mother of parishes, great, glorious and free.

"My country, 'tis of thee,
Sweet land of liberty,
Of thee I sing;

* * *

Long may our land be bright
With freedom's holy light;
Protect us by thy might,
Great God, our King!"

In conclusion, I want to thank you for having been invited to address you. When I accepted your invitation, I realized you had honored me overmuch. But I felt you had raised me to

such distinction, that I could not well decline. I said: "I'll do my best, and that is all they have a right to expect."

But I certainly enjoyed coming, and I want you to know that as long as I live, I am going to feel grateful to this Society for having permitted me to break in, as it were, within its charmed circle.

"Let Fate do her worst; there are relics of joy,
Bright dreams of the past which she cannot destroy,
Which come in the night-time of sorrow and care,
And bring back the features that joy used to wear.
Long, long, be my heart with such memories filled,
Like the vase in which roses have once been distilled—
You may break, you may shatter, the vase if you will,
But the scent of the roses will hang 'round it still."

RECOLLECTIONS OF YESTERDAY.

By James A. Renshaw.

Fifty years is not a long period of time, when we span it to recall some pleasing incident or scene. And so I ask you to come with me on a trip back through the yesterdays to the time, when the familiar sight of two distinguished members of the bar, two brothers in the hey-day of their physical life and of their professional career, made a pleasing picture as regularly every morning they walked side by side in earnest talk or in friendly badinage from their homes near Canal Street on Dryades and South Rampart to their offices, the one in Carondelet Street the other in Custom House (now Iberville) Street. They were dignified in bearing, of courtly grace in manner, both heavy in build, the elder of leonine countenance, the younger of handsomely chiseled features; they were gracious figures to their friends and acquaintances, and magnetically attractive to the stranger.

I am sure that by now those whose recollections carry them back to this period, will have recognized the two brothers as Randell and William H. Hunt, for what I have just sketched was a little picture familiar to those of that day.

Mr. Thomas Hunt, the eldest son of William H. Hunt, published in 1922 for private distribution a "Life" of his father, and I was among the fortunate to have been honored with a copy. It is a most readable book, and in one who grew up under a spell of reverence for such great and lovable men as were these brothers, its pages filled with anecdote and story, arouse only the most delightful memories.

The book makes mention of several close friends of Mr. Hunt, and as they were citizens of note it will not be amiss to quote concerning them.

"Another friend of his youth was Davison H. Hennen, a fellow student at Yale, a member of one of the best known families in New Orleans; and a man of brilliant talents, a lawyer and a wit. The codification of the laws of Louisiana brought him fame as a student of law, but as an attorney my father considered him a failure, and used to mention him as an illustration of a lawyer who, in spite of ability and learning in the law, had proved a failure because of a constitutional want of faith in his client's cause."

And then he writes of Tom Parker, one time civil sheriff of the Parish of Orleans, of Tom Parker whom all the city knew and liked, of Tom Parker who was a friend and companion even to those many years his junior.

"Tom Parker was a lawyer, and a wit, and in his day and generation one of the best-known and most popular men in New Orleans. He was a tall, large and powerful man, with Dundreary whiskers and dressed like a French dandy, and was a bachelor, welcome at all times in the home of our family and beloved by the wives and children of all his many friends. Parker was one of those big-hearted, gentle 'old bachelors' whose friends, among women especially, were always regretting that he had never married and picking out for him some equally large-hearted woman whom they had in mind, and even venturing so far as to sketch a mental picture of him as the father of a race of fine, breezy, generous, glorious giants like himself. It was Parker who, while dancing a quadrille at a ball in New Orleans in which my father was his vis-a-vis, upon being asked by my father, sotto voce, the name of his partner, whispered quickly as he swung past, 'Last letter of the alphabet'; the young lady's name being Izzard, of Charleston."

How this all too short reference to Tom Parker stirs the memory. He had two sisters, Mrs. Colquehon and Mrs. Davezac, widow of Dr. Davezac; the former during all the years I knew them living with Mr. Parker. Mrs. Colquehon was a woman of large frame, and at the time I now refer to Tom Parker lived on the lower side of St. Joseph Street, between Carondelet and St. Charles, then a fashionable residence district. The members of the family were devout Catholics, and Mrs. Colquehon made it her regular practice to attend early mass. This particular cold, winter morning the wind was high, and as the lady stepped through the opened front door her skirts were swept back into the hallway and the door slammed to, pinning Mrs. Colquehon so close with her back to the door, that she was unable to use her latch key to extricate herself. There she was forced to stand in the biting wind, till the day began to show and some passerby released her.

And then the book tells of another prominent citizen of New Orleans, Judge Philip Hickey Morgan; let us see what it says.

"Philip Hickey Morgan was my father's most intimate friend for more than thirty years and their friendship included all the members of their families. Morgan, like Parker, was a giant, with irregular features surrounded by a short grey beard, and coal black eyes. He walked with a slouching gait, but there was something impressive about his appearance which made people in the street turn and ask who he was. He had fine abilities and filled with distinction the positions of United States District Attorney, Judge of the Supreme Court of the State, Associate Judge of an International Court in Egypt and United States Ambassador to Mexico. He had literary tastes and wrote important articles in 'Appleton's Cyclopedia of American Biography.' He was a Union man during the Civil War and a Republican after it, and this was one more of the many ties which bound the two men closely together.

"Morgan had a decided charm of manner and was an interesting conversationalist. He was reckless in money matters and, although he made large fees as a lawyer, died in straightened circumstances. He was subject at times to attacks of despondency during which he imagined that every ill of life had befallen him. One night he awakened his wife and told her that he had been stricken with blindness. Accustomed to his queer fancies, with great calmness she asked him what made him think so. 'Because,' he testily answered, 'I cannot see the night light burning.' 'No wonder,' said Mrs. Morgan, 'for I put it out myself a few minutes ago.'

"The Judge had some amusing and fastidious notions of social proprieties and usages. Once when in New York, he invited me to dine with him at Delmonico's, then the most fashionable restaurant in the United States, at the corner of 26th Street and Fifth Avenue. We went uptown together in one of the old Broadway buses which every New Yorker, rich or poor, used in those days. A block before we reached the corner of 26th Street the Judge, to my surprise, stopped the stage and upon my calling his attention to the fact that we had got out of the bus a block too soon he explained that he had done it intentionally, that it was not good form when going to such a fashionable place as Delmonico's to go there in a bus, but a man should either walk there or be driven to the door in a cab or in his own carriage; a dictum worthy of Major Pendennis. This story shows a difference between Morgan and my

father. My father would not have left that bus until it reached Delmonico's corner, if all the beaux and belles of New York had craned their necks looking out of the windows wondering who that handsome Southern gentleman and his son might be who had just alighted from the bus. And yet it must be admitted that no one would have enjoyed more than my father the luxury of driving up to Delmonico's in his own victoria behind a pair of spanking strawberry roan cobs, his favorite color in horses."

What a pretty sketch this is of his father's friend. I will be pardoned if I add one little story or two of my own. Judge Morgan, just before the beginning of the war between the States, occupied with his wife and young children a residence near Coliseum Place. He was hard pushed for money at that time and fell in arrears for several months or more of rent. At the close of the lease he moved out, but only kindly feelings existed between his family and that of the owner of the property. Of course, Judge Morgan made good his indebtedness when prosperity came to him; and more too, for when, during General Butler's regime in New Orleans this residence was seized by the Federals, the husband of the owner being with the Confederate troops, Judge Morgan using his influence as a Union man, prevented the confiscation and had the property returned.

Judge Morgan came to New Orleans from one of the river parishes, the family plantation being in East Baton Rouge. It was during his occupancy of the residence just mentioned, that I, a mere lad, witnessed in part a practical illustration of duelling. A young kinsman of the Judge was on a visit to him in New Orleans. Attending a gathering one evening of "young bloods" one of the party, after the wine had warmed them up, made an unfortunate allusion to a young lady. While Morgan was in no way called upon to act, being neither related to the lady nor even a near friend, with that spirit of chivalry which actuated men in those days denounced the calumniator—the challenge was passed and the next morning, presumably under the Oaks at City Park, the duel took place and young Morgan was shot. I was standing on the gallery of my father's home when a carriage conveying among others a badly wounded man halted in front of the residence of Judge Morgan. The party alighted and bore the suffering one into the house. In a few

hours the gallant Knight was dead. This scene which I had accidentally witnessed made a lasting impression upon me; but those were days when the honor of a woman was not measured by money damages, and when the answer to even a whispered defamation was quick and unmistakable.

Writing of his aunts a charming description of the home life of the family is presented.

"It was their habit to spend much of their time in their bedrooms, sitting with little shawls over their shoulders, sewing and reading their Bibles. When a nephew entered the room, off went the spectacles, closed were the Bibles and smiles of welcome greeted him. Then followed a delightful conversation. They pronounced the English language with a rare precision of scholars and without the Southern provincial tone of voice and dialect. They used peculiar expressions and unusual pronunciations such as "Be done, boys!" and they pronounced my, "me"; car, "Kyar"; and cards "Kyards". My father who was much more modern in such matters, used to jokingly declare that when the family lived in Charleston they pronounced piano and piazza with a long "i". Their literary tastes were pre-Victorian. The brothers lived in an age—an eighteenth century age—when every gentleman knew his Horace, and openly discussed in the presence of the ladies "Tristan Shandy," "Roderick Random," and "Tom Jones." The ladies blushed, but were not ashamed to admit that they had read them; they preferred Scott, Byron, Bulwer and Miss Edgeworth, and denounced George Eliot as an immoral writer and would have none of her.

"For many years the evenings in my Uncle Randell's parlor looked like a little club of old ladies and gentlemen, all playing backgammon, euchre or chess."

The office of William Hunt was in Custom House (now Iberville) Street. The following description, written by William Hunt, the second son, but embodied in the book now being discussed, gives one a fine idea of a lawyer's sanctum in those days.

"His offices were always very comfortable and in perfect order—the larger room with book cases all around the walls and a desk at which sat Peniston or some other young lawyer making his headquarters with our father and the other room, smaller, held his own flat top desk. The walls were in green,

rugs on the floor. In the outer hall, at the very head of the stairs sat Henry Baker, an old slave to whom my father had given freedom and who had gratefully accepted the position of porter, messenger boy and factotum of my father's, with a face wrinkled and screwed up by twitches of rheumatic pains, and often groaning audibly with affected grief, over the ailments of some one of his lady-loves."

And then the account continues with Mr. Hunt at home in his study, to which he always retired about half past nine.

"His habit was to put on his dressing gown and draw up to his study table and then begin work on his law cases. He always wrote with a quill pen and used to place his books on the floor as he took them out of an oblong basket in which they had been brought from his office to the house by Henry Baker, or if Henry could not carry the basket when full (it held about sixteen) he would have a larger "nigger" to take it to the house or have it put into a wheelbarrow and wheeled home. Henry would not demean himself by pushing the wheelbarrow. Father usually worked until midnight."

The older ones among us can readily picture Henry Baker; not a few perhaps remember him personally. But all of us who have lived our lives here know the pride that swelled Henry's heart and the fire that kindled in his eyes, whenever some new honor came to Mr. Hunt; for the glory of the master was the satisfying heritage to the servant and made the bond between them something that all Southerners understand, and love and cherish.

The preface to the book, from which the foregoing excerpts have been taken, was quoted entirely from "Plutarch's Lives—Alexander." But so clearly true are the statements that I cannot resist the desire to quote therefrom in this instance.

"And the most glorious exploits do not always furnish us with the clearest discoveries of virtue or vice in men; sometimes a matter of less moment, an expression or a jest, informs us better of their characters and inclinations than the most famous Sieges, the greatest armaments, or the bloodiest battles whatsoever."

And of a truth, these anecdotal sketches, which I have just read, surely show the loyalty, the good fellowship, the strict honor, the knighthood, that actuated the men of yesterday.

CHERVIN, A PIONEER EPIDEMIOLOGIST

AN EARLY STUDY OF THE CONTAGIOUSNESS OF YELLOW FEVER

By William Colby Rucker, M. S., M. D.

Surgeon U. S. P. H. S., New Orleans, La.

EDITORIAL NOTE: This interesting study of old-fashioned methods and ideas regarding yellow fever has an appendix in the form of Dr. Matas' paper, published in this issue, touching on the eradication of the disease in New Orleans, 1905.—ED. LA. HIST. QTLY.

For almost forty years there has been hidden away in an iron box at the Army Medical Library, at Washington, a pile of priceless manuscript. Through the courtesy of the Librarian, Brigadier General Robert E. Noble, and the kindness of Mr. Felix Neumann, who brought it to my attention, the writer has been afforded access to this collection, which represents about five years of earnest epidemiological research, and one of the earliest applications of the questionnaire to the study of a pestilence.

Nicolas Chervin was born of agricultural parents, at Saint-Laurent-d'Oingt (Rhone), on the 6th of October, 1783, and after pursuing his preliminary studies in the College de Ville Franche, chose for himself the profession of Commerce. His parents consenting in his choice, he went to Lyon with a letter of recommendation which had been given him by M. Fournas, the father-in-law of the celebrated artist Ellevain. After he had presented his letter he went with one of his fellow pupils, named Petit, a student of medicine, to attend a lecture on anatomy which was being given by Professor M. Montain, and by this unthoughted act his entire life career was altered. The lecture was upon the sphenoid, the keystone of the cranium, one of the most bizarre bones in the entire human framework and at the same time one of the most difficult of description, but Montain's recital was so clear, so methodical, and at the same time so finished, that Chervin was struck with admiration. It had never before occurred to him that any part of the human body could be so interesting, so wonderful. For a few days he was depressed and undecided as to what course to take; but, says Rougier, "to use an expression of a religious sect, he felt the impulse of the medical spirit and consecrated his body and mind to the study of our art."

Chervin was a man of energy, and having seen the way he set out to follow a resolution which he kept to the end of

his days, never faltering in his thirst for medical knowledge. He enrolled himself as a student of the Hotel Dieu of Lyon, and there he followed, with that painstaking exactitude which was one of his characteristics, the curriculum of that great institution. Later he went to Paris, where he received his doctorate in 1812. He chose for his thesis a curious title: "Medico-philosophic researches into the causes of polygamy in warm countries," in which he controverted the theory that this practice was due to the excess in the number of women in the tropics. At this time France was in throes of the Napoleonic epoch; the empire was being attacked on every hand, and the homeland was menaced with invasion. Not only was the army of France being killed by the bullets of the enemy, its soldiers were being decimated by typhus fever, which was then prevalent in most of the military hospitals. The Government sent many young physicians to the epidemic centers for the purpose of studying the disease and assisting in the treatment of the infected. Chervin was appointed a member of the commission which went to Mayence, a location in which typhus fever was spreading with extreme violence.

Upon the declaration of peace, Chervin returned to Paris, where he entered practice, devoting one or two days a week to clinical studies in the hospitals; and again a small circumstance altered his plans and directed the current of his life into another channel. He was in the habit of lunching with several of his friends, physicians who were pursuing their clinical studies in the hospitals. One day the conversation in this informal lunch club turned to the question of whether or not yellow fever was contagious. Many of those present believed that it was, and one of his friends expressed himself very strongly in this belief. Chervin, who was possessed of a healthy, scientific skepticism, said he was not at all convinced that yellow fever was contagious. "But do you know that?" queried he of the strong affirmative opinion. "I am going to prove it," said Chervin, "but not on the banks of the Seine," was the reply.

With characteristic promptness and decision, Chervin sold a part of his patrimony, and with the little money thus acquired, but an enormous fund of courage, patience and energy, he set out upon his quest. Unfortunately, a journal of these wanderings is not included in the pile of manuscript at the

Army Medical Library, but it has been possible to map out a part of his itinerary from these documents. Apparently he first visited Guadeloupe, and on November 24, 1817, he was at Pointe-Pitre, and on the 30th he was at Basse-Terre—a curious coincidence, this, since the latter was the birthplace of Louis-Daniel Beauperthuy, who on May 23, 1854, in the official gazette of Cumaná, Venezuela, announced the discovery that the mosquito with white striped legs is the vector of yellow fever. Beauperthuy was born at Basse-Terre August 25, 1808, and he was, therefore, a little over nine years old at the time of Chervin's visit to Guadeloupe. It is not inconceivable that the presence of such a distinguished foreigner as Chervin, in such a small place as Basse-Terre, was known to Beauperthuy, and his boyish mind thereby imbued in some degree with the desire to take up scientific research, a field in which this great medical naturalist was to achieve posthumous renown.

The next year, 1818, was devoted to wandering up and down the Antilles and the other islands of the Caribbean, Martinique, Antigua, Nevis (the birthplace of Alexander Hamilton), Montserrat, St. Kitts, St. Eustatius, St. Martin, St. Thomas, St. Croix, Barbados, Porto Rico, Santo Domingo and Jamaica being visited. In 1819 he was in Cuba and Haiti, and on March 1, 1820, he is found at New Orleans, La., where he remains at least three months; in November he is in Savannah, Ga., and from December 20, 1820, to January 9, 1821, he is in Charleston, S. C. March, 1821, finds him in Norfolk, Va., and Washington, D. C.; in April, in Baltimore; in May and June, in Philadelphia; and in November, in New York. Connecticut, Rhode Island, Portland, Me., Newbury Point, Mass., and New Hampshire, were visited in the last month of that year. Then he returned to the Islands of the Sea, and the latest date in the manuscripts is in August, 1822.

Wherever he went he examined everything in the locality which might have a bearing on the epidemiology of yellow fever. He studied the climate, the seasons, the habits of the people, and their customs. He visited the hospitals, he attended the sick, and studied the effect of disease as shown in the bodies of those who had died from it. He interrogated physicians, army medical officers, navy medical officers, quarantine officials, hospital superintendents, magistrates, and the inhabitants of every class, including the negroes and slaves. All

of this labor was performed most minutely; he was scrupulously methodical in the collection of his data. To each of the medical men whom he interviewed, he gave the following questionnaire:

> Avez vous observé des faits, qui prouvenent, que le fievre jaune soit contagieuse?
>
> Pensez vous, qu' deprimier le devenir dans certaines circonstances?
>
> Quelles sont, suivant vous, les causes le plus ordinaires de cette maladie?
>
> Pensez vous qu' une meme personne peut-etre ataquée, plusiers fois de cette maladie?*

The replies to which were written on sheets of paper 9 by 12 inches, and before he left the place where he had collected them they were bound together by colored silk ribbons which passed through three holes in the left-hand edge. These were then certified as authentic documents by some person having legal authority to make such certificates; sometimes it was a British Governor General, and in one instance the seal is a circular piece of wax over two inches in diameter, having a sheet of paper on either side, and being embossed with the royal arms of Britain. Frequently there was a certificate from the President of the Medical Society, stating that certain physicians were members in good standing. The certificates that were taken at Washington, D. C., were certified to by the French Ambassador, Baron de Neuville. Thus there is preserved in this collection the authenticated signatures of many of the leading medical men of the new world at that time. These documents are exceedingly interesting. Physicians tell their experiences in certain outbreaks of yellow fever, and they relate many circumstances which would be of the greatest value to anyone who was collecting the material for a biography. For the most part, the handwriting is beautifully clear. There were no typewriters in those days, and people apparently had more time; certainly, they took more pains with their chirography; as a result, the reading of these manuscripts is relatively easy, and there is a thrill in most every page. They are written in English, French, Spanish and Dutch. Apparently Chervin mastered the English language in the course of his investi-

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*The phrasing of this questionnaire is not quite intelligible, but one can catch the author's intentions sufficiently to understand his purpose.—Ed. La. Hist. Qtly.

gation; there are many notes in his handwriting written in that language: for example, when he was in New York he copied a great many of the minutes of the City Board of Health.

In learning English, Chervin pursued the accurate, painstaking course which may be observed in all of the acts of his life. There is a list of about 275 words and phrases which he has collected under the title: "Liste de mots anglais peu usités ou plutót qui me sont peu familiers." A perusal of these shows that he had gotten well beneath the skin of the American tongue. The following excerpts, spelled exactly as they are in the little folio, illustrate this:

> Hey; to jog on; tucked up; hawked about; to banter; with a hop, skip and a jump; fiddle faddle; topsy turvey; rapping of knuckles; plung down the money; wen-goitre; to hum and haw; a lucky hit.

Although Chervin examined hundreds of patients in hospitals, made observations on their condition both by day and by night, being exposed to the black vomit and their dejections, attending necropsies, and being in every way in the presence of the contagion, if such existed, he never contracted the disease. In this he was a good deal more fortunate than that celebrated Italian epidemiologist, Eusebio V. Valli, who came to Havana for the purpose of studying yellow fever. He landed on September 7, 1816, and on the 24th of the same month was dead of the disease.

An analytical study has not been made of the data which was obtained by Chervin in the Caribbean Litoral. At a later date this will be done. Practically every one of the physicians whom he interviewed in the United States was of the opinion that the disease is not contagious—that is, that it is not spread from a healthy person to a sick one by contact. They frequently note the fact that while doctors, nurses, attendants, ministers, sextons, and the families of those who have yellow fever, are not more liable to the disease than other persons, from this they reason very properly, that the disease was spread by some other agency than intimate contact. The introduction by ships was carefully noted, especially by quarantine officers or health officers of the port as they were called in that day, but Pardon Brownell of Providence, Rhode Island, wrote on December 10, 1821, that he did not believe that the disease was introduced by ships from foreign ports, but was generated by them. The

minds of some of the physicians were evidently still impressed by "the unity of fevers," but a considerable number make the differentiation between yellow fever and bilious fevers very clearly. For example, William Bowen, of Providence, Rhode Island, writing on December 12, 1821, of the outbreak of "Typhus Icterus" of August, 1797, said, "I judged it as a higher grade of our common Summer or bilious fever from which, however, it is essentially different, the one being but partially, if at all, mitigated, while the other is totally suspended by Frost." There is little accurate differentiation between yellow fever and malaria, some thinking that they are merely different manifestations of the same disease, but several believing that they are separate and distinct infections. Several speak of having had yellow fever themselves, and the clinical descriptions of the disease set forth in the replies to the questionnaire, prove very clearly that although the writers had relatively little knowledge of epidemiology, they were exceedingly keen clinical observers.

The cause of yellow fever is variously attributed, many holding that it is a disease of purely domestic origin, "calmness of the air and decomposition of animal and vegetable matter"; "effluvia from ballast"; "decomposing codfish and the noxious effluvia therefrom"; "the pestilential atmosphere engendered on ships"; all being named as etiological agents. William Ingalls of Boston wrote a long letter, and included a meteorological table, saying, "Yellow fever is not generated at sea or far inland." He expresses the view that effluvia and sea water raised by hurricanes into the air, mix and produce a dangerous stimulant. The action of the "vertical rays of the sun" on ordure is frequently mentioned in these letters.

Josephus W. S. O'Conway, U. S. N., writing on the 8th of May, 1820, describes an outbreak which occurred on the U. S. Schooner "Firebrand" at Belize in July, 1817, and states, "The vessel was almost alive with cockroaches, their scent was suffocating, and all our provisions smelt of it. This is a strong proof of vitiated atmosphere."

H. R. Frost of Charleston, South Carolina, in his letter of January 3, 1821, expresses the opinion that yellow fever, which he believed is not a disease sui generis, is due to the "mephitic gasses," produced by the vertical rays of the sun, this in turn causing a deficiency of the atmospheric electricity. In a rather

hasty survey of the materials, mosquitoes were only seen to be mentioned once, and that in such a way as to show that the writer had no idea whatsoever of their possible connection with the disease. It was noted by quite a number of observers that certain areas seem to be immune to the disease, and one writer quotes an observation made in 1809, "that those who slept in the upper stories of houses were less liable to the disease, and had it in milder form, than those who slept on the ground floors."

Dr. George Marshall of New Orleans, writing under date of March 26, 1820, sets forth some views of the etiology of the disease, which are interesting in the light of our present knowledge. At the time he was secretary of the New Orleans Medical Society, and in 1812, he had charge of the U. S. Naval Hospital, temporarily established in the Bay of St. Louis. In 1813 he was attached to the U. S. S. "Louisiana." He says:

> "Domestic animals and those of the Forest are frequently affected with a variety of disease during the prevalence of an epidemic, and even the vegetable Kingdom does not always escape unhurt. The following is an extract of a letter from my friend, Dr. Perlee of Natchez, in October, 1819: 'As to the report of our domestic animals dying, it is partially true. Our horses, horned cattle, poultry, and even the Deer in the woods, have been very generally affected with a disease seated in the tongue. It has not been very fatal except to poultry on some plantations, but as respects human sufferings we have indeed had a severe visitation.' "

Strangely enough, there are still a few sanitarians who believe that animals may act as a reservoir for the infection of yellow fever.

Having completed his researches in the new world, Chervin returned to Paris, where he took a modest little room in the Rue Villedo. From all accounts, he was not very prosperous, and lived in his scantily furnished rooms surrounded by his books and the documents which he had secured in his epidemiological quest. But he was scarcely settled in this apartment in which he was to live for many years, before he learned that yellow fever was epidemic in Spain. He hurried there to carry on his studies, going to Cadiz with Louis and Trousseau, as a member of a commission appointed by France

to study the epidemic of yellow fever, then prevailing in that city. He carried on further studies in the Midi and in the Peninsula, and from there went to Barcelona, where some other French investigators had succumbed to yellow fever.

In 1824, Chervin returned to Paris, with the intention of staying there only six months, but he remained for nineteen years, excepting when he went to Gibraltar in 1828, again to study yellow fever. Upon his return, he was decorated with the Legion of Honor. His name was then presented for membership in the Academy of Medicine. Unfortunately, the permanent secretary of that body, Etienne Pariset, an epidemiologist who had made considerable study of miliary fever, yellow fever and plague, belonged to the contagionist school, so far as yellow fever was concerned, and as early as 1828 these two had a controversy over Chervin's conclusions with regard to yellow fever. These were:

(1) Yellow fever is not contagious.
(2) It has for its origin and cause the altered air of swamps, obstructed drains, and the exhalation arising from slimy stagnant waters.
(3) It acquires its greatest violence by the excessive heat inherent to certain climates and certain seasons.
(4) Lazarets and quarantines which are onerous for governments and prejudicial to commerce, neither serve to prevent, nor to lessen the violence of the infection.

Pariset's divergence from these views caused Chervin's name to be subjected to very critical examination when he was proposed for membership in the Academy, but a commission of eighteen members having examined his documents, declared unanimously that they were of great value, and proved conclusively the non-contagiousness of yellow fever. This report provoked a long discussion in the Academy, but in 1832 Chervin was elected. A few years later he received from the Academy of Sciences a prize of 10,000 francs from the Montyon Foundation. Finally, the campaign of education which Chervin launched had its effect, and the Government, by the ordinances of April 4 and June 11, 1835, and November 13, 1839, modified its sanitary regulations with regard to quarantine, and reduced the period of detention of ships very considerably.

The latter years of Chervin were not happy ones; sickness, age and poverty beset him. He was afflicted with heart disease, and on February 8, 1842, he suffered from a cerebral hemorrhage which produced hemiplegia; on August 14, 1843, he died at Bourbonne-les-Bains, wither he had gone in search of relief. His friends chose for his epitaph a passage from Tacitus: "Opum contemptor, recti pervicax, constans adversus metus." By his life, and by his ability to work, Chervin justified this portrait.

Measured by the terms of modern knowledge, Chervin's was a life of lost endeavor. He made no basic discoveries, and his writings did not contribute greatly to the sum of human knowledge. He did, however, set an example of painstaking, methodical, scientific research, in an era when men were more apt to theorize about a disease, than to study it on the ground. Success is not always the criterion of the worth of a man; endeavor, rather, is the standard, and the courageous, unending effort which Chervin put into his work, entitles him to great credit. To the medical profession of America, he has left a splendid heritage in the manuscripts which were prepared by the leading physicians of our country more than one hundred years ago, and the student of medical history and medical biography will there find authenticated documents of the greatest value and interest.

List of those* answering the Questionnaire. Those marked thus "‡" are not wholly legible. The remarks set opposite the names were gleaned from the replies.

NEW ORLEANS, LA.

Alexander, Elijah S.	April 17, 1820.	
Armstrong, Francis	April 28, 1820.	
Begile	April 15, 1820.	
Conand, Joseph	(No Date.)	
Davidson, R.	May 5, 1820.	Physician of the Port.
Devere, M.	May 22, 1820.	
Daw, Robert (Dow)	April 25, 1820.	
Dupuy (Bechambeuy)	March 26, 1820.	
Forsyth, Gideon C.	March 30, 1820.	
Fortin,	March 26, 1820.	
Heermann, Lewis	May 3, 1820.	Surgeon of U. S. Navy Hosp.
Holt, David	April 19, 1820.	
Kerr, Josias E.	April 10, 1820.	

*In the United States.

LaCroix, Paul .....March 15, 1820.
Legico, ...May 10, 1820.
Ludlow, J. .....June 1, 1820.
Marshall, George .....March 26, 1820. Sec'y. N. O. Medical Society.
‡Martin, Th .....(No date.)
Mercer, William Newton.....April 17, 1820. Surgeon U. S. Army.
Miltenberger, Ch. .....April 3, 1820.
New, W. W.....April 10, 1820 Surgeon U S Army.
O'Conway, W. S.....May 8, 1820 Surgeon U S Army.
Pecquet, Louis Joseph.....March 18, 1820.
Randolph, R. C.....April 15, 1820.
Rice, J. .....April 6, 1820.
Rogers, W. .....March 1, 1820.
‡Stabul .....March 11, 1820.
Thomas .....March 15, 1820.

SAVANNAH, GA.

‡Posey, John F.....November 17, 1820.

CHARLESTON, S. C.

Akin, Thos. .....December 23, 1820.
Auld, Isaac .....December 25, 1820.
Brailsford, Edward .....December 20, 1820.
‡Duaremtessez .....December 27,1820.
Frost, H. R.....January 3, 1820.
Frouty .....December 23, 1820.
Gleize, Henry .....December 20, 1820.
Greenland, Benj. R.....December 28, 1820.
Harris, Tucker .....December 26, 1820.
Holbrook, Moses .....December 22, 1820.
Johnson, Jos. .....December 21, 1820.
LeSeigneury .....January 9, 1821.
Michel, Wm. .....December 29, 1820.
Manning, John .....December 28, 1820.
Read, William .....December 20, 1820. Phys. to Marine Hosp.
Moultrie, Jas. Jr.....January 4, 1821. Port Phys. of Charleston.
North, Edw. W.....January 5, 1821.
Righton, John M.....January 4, 1821.
Rutledge, C.....January 3, 1821.
Waring, Horatio S.....December 21, 1820.
Whitridge, Jn. B.....December 20, 1820.
Wilson, Isaac Mazyck.....December 30, 1820.
Wilson, Samuel .....December 21, 1820.

SMITHVILLE, N. C., (Fort Johnston).

Clitherale, Geo. C.....(No date.) Post Surgeon, U. S. Army.

NORFOLK, VA.

Archer, Robert	March 2, 1821.	Surgeon, U. S. Army and Health Officer to the Harbor of New York.
Barrand, P. & Sons	March 3, 1821.	
Cowdery, Jonathan	March 2, 1821.	Surgeon, U. S. Navy.
de Oliveira, John Francis	March 3, 1821.	Fellow of the Royal Acad. of Sciences at Lisbon, and of the Royal Medical Society of Medicine at Madrid and Barcelona.
Selden, Wm. B.	March 1, 1821.	
Whitehead, Alexander	March 3, 1821.	

DISTRICT OF COLUMBIA.

Richards, John	Alexandria March 27, 1821.	(Alexandria, Va., was at that time in the District of Columbia.)
Semmes, Thos.	Alexandria March 31, 1821.	
Thornton, William.	Washington March 24, 1821.	
Washington, W.	Alexandria March 31, 1821.	

BALTIMORE, MD.

Alexander, Ashton	April 16, 1821.	
Allender, Joseph	April 16, 1821.	
Bain, James	April 14, 1821.	
Baker, Samuel	April 14, 1821.	Prof. Mat. Med. U. of Md.
Birckhead, Wm.	April 16, 1821.	
Brown, G.	April 14, 1821.	
Bond, H.	April 14, 1821.	
Chapman, John	April 14, 1821.	
Chattard, Pierre	April 7, 1821.	
Clindinen, Alexander	April 16, 1821.	
Clindinen, W. H.	April 16, 1821.	
Coulter, John	April 16, 1821.	
Cromwell, John	April 16, 1821.	
Davidge, John B.	April 16, 1821.	Prof. of Anat. U. of Md.
DeButts, Elisha	April 14, 1821.	Prof. of Chem. U. of Md.
Diffenderffer, Michael	April 16, 1821.	
Donaldson, William	April 16, 1821.	
Dunan, L. M.	April 16, 1821.	
Gillingham, Ezra	April 14, 1821.	
Hall, Richard Wilmot	April 4, 1821.	Prof. of Obst. and Dis. of Women and Children. U. of Md. Pres. Med. Soc. of Md.
Hall, Thomas P.	April 16, 1821.	Asst. Surg. U. S. Army.
Hutner, C.	April 14, 1821.	
Jameson, Horatio G.	April 14, 1821.	Surgeon to Balto. Hosp.
Jennings, Samuel	April 14, 1821.	
Macaulay, P.	April 16, 1821.	

Mackenzie, Samuel B.	April 16, 1821.	Attending Phys. Balto. Hosp.
McDowell, Maxwell	April 14, 1821.	
McOwen, John O.	April 14, 1821.	Consult. Phys. Balto. Hosp.
Martin, Samuel B.	April 16, 1821.	
Page, James	April 16, 1821.	
Potter, Nathaniel	April 14, 1821.	Prof. Theory and Pract. of Med. U. of Md.
Reese, D. M.	April 16, 1821.	
Revere, John	April 16, 1821.	
Smith, James	April 14, 1821.	Agent of Vaccination for U. S.
Townsend, G. S.	April 14, 1821.	
Warfield, Andrew	April 16, 1821.	
Watkins, Tobias	April 14, 1821.	Asst. Surg. Genl. U. S. Army
Wright, Thomas P.	April 16, 1821.	

PHILADELPHIA, PA.

Anderson, W.	May 12, 1821.	Surgeon.
Bache, Franklin	May 23, 1821.	
Barnes, John	May 15, 1821.	
Barnwell, William	April 30, 1821.	
Barton, Edward	May 12, 1821.	
Barton, J. Rhea	June 2, 1821.	
Barton, William P. C.	June 3, 1821.	
Bensill, Geo. (Germantown, Pa.)	May 23, 1821.	
Bitton, Samuel (Germantown, Pa.)	June 9, 1821.	
Calhoun, L.	May 11, 1821.	
Carter, Henry Yates	May 22, 1821.	
Chapman, N.	May 17, 1821.	Prof. of Institutes and Practice of Medicine and Clinical Practice, U. of Pa.
Coates, Benj. H.	May 15, 1821.	
Conover, Sam'l F.	May 9, 1821.	
Coxe, John Redman	May 10, 1821.	Prof. of Mat. Med. & Pharmacy, U. of Pa.
Currie, Wm.	June 1, 1821.	
Dewees, Wm. P.	May 10, 1821.	
Emlen, Samuel Jr.	May 11, 1821.	
Gallaher, James	May 19, 1821.	
Gibson, William	June 5, 1821.	Prof. of Surgery, U. of Pa
Griffitts, Samuel Powell	May 16, 1821.	
Harlan, Rich	May 7, 1821.	
Harris, Theo.	May 14, 1821.	Surg., Naval Hosp.
Hartshorne, Joseph	May 22, 1821.	
Hewson, Thos. T.	May 18, 1821.	
Jackson, Samuel	May 22, 1821	Pres. of the Board of Health of City and County of Phila.
James, Theo. C.	May 19, 1821.	
Klapp, Harvey	May 13, 1821.	

Klapp, Joseph	May 11, 1821.	
Knight, Alex	May 9, 1821.	Port Physician.
LaRoche, R.	May 15, 1821.	
Lawrence, T. O. B.	May 24, 1821.	
Lehman, Geo. P.	May 24, 1821.	Lazaretto Phys. of the Port of Phila.
Mathieu, John	June 4, 1821.	
Mease, James	June 3, 1821.	
Meigs, Ch. D.	May 15, 1821.	
Miller, P.	May 18, 1821.	
Mitchell, Thos. D.	May 12, 1821.	
‡Monges, J. P.	June 18, 1821.	
Moone, J. Wilson	May 11, 1821.	
Nancrede, Joseph G.	May 23, 1821.	
Nancrede, N. C.	May 20, 1821.	
Neill, Henry	May 12, 1821.	
Otto, John C.	May 7, 1821.	Also June 5, 1821.
Parke, Thomas	May 25, 1821.	
Parrish, Jos.	May 1821.	No. 109 Mulberry Street.
Perkin, John	May 26, 1821.	
Physick, Philip S.	May 12, 1821.	
Reylin, Isaac	May 15, 1821.	
Rousseau, J. C.	May 22, 1821.	
Rush, James	May 18, 1821.	Son of Benj. Rush.
Shoemaker, Nathan	May 5, 1821.	No. 34 Sansome Street.
Stewart, Samuel	May 16, 1821.	
Thomas, John D.	May 15, 1821.	
Tucker, Samuel	May 29, 1821.	
Wood, Geo. B.	May 18, 1821.	

BELLEVUE, DEL., (Near Wilmington).

Tilton, James	May 30, 1821.	Surgeon Genl. USA. (Retd.)

WILMINGTON, DEL.

McLane, Allen	May 31, 1821.	

BRANDYWINE, DEL.

Didier,	May 31, 1821.	

NEW HAVEN, CONN.

Hotchkiss, Obadiah	November 27, 1821.	
Ives, Levi	November 28, 1821.	Pres. Board of Health of New Haven, 1794.
Ives, Eli	November 27, 1821.	Prof. Mat. Med., Yale College.
Monson, Elijah	November 27, 1821.	
Munson, A. Eneas	November 28, 1821.	

HARTFORD, CONN.

Bruce, B.	December 3, 1821.	
Coggswell, Mason F.	December 3, 1821.	Pres. Med. Soc. State of Conn.
Todd, Eli	December 3, 1821.	

MIDDLETON, CONN.

Miner, Thomas	December 1, 1821.	
Tully, William	November 30, 1821.	

NEW LONDON, CONN.

Colt, Thomas	December 7, 1821.	
Lee, Samuel H. P.	December 7, 1821.	

PROVIDENCE, R. I.

Barrows, Thomas Manning.	December 10, 1821.	
Bowen, William	December 12, 1821.	
Brownell, Pardon	December 10, 1821.	Rec. Sec. of R. I. Med. Soc.
Brownell, Richard	December 10, 1821.	
Mackie, John	December 10, 1821.	Health Officer, Port of Providence, 1808-1819.
Mawron, John	December 10, 1821.	
Richmond, John W.	December 10, 1821.	Health Officer, Port of Providence, 1819-1821.
Wheaton, Levi	December 10, 1821.	

NEW PORT, R. I.

Cotton, Charles	December 14, 1821.	One of the Censors of the R. I. Med. Soc.
King, David	December 14, 1821.	
Turner, W.	December 14, 1821.	Surgeon, USA. & Cor. Secy. of the R. I. Med. Soc.
Waring, Edmund Thos.	December 4, 1821.	

PORTLAND, ME.

Coffin, Nathaniel	December 27, 1821.	Hosp. Surg. for Marine Patients of District of Maine.
Merrill, John	December 27, 1821.	
Weed, Samuel	December 27, 1821.	
Pierreport, James H.	December 27, 1821.	
Porter, Aaron	December 27, 1821.	

NEWBURYPORT, MASS.

Bradstreet, Nathaniel	December 27, 1821.	
Johnson, John G.	December 27, 1821.	
Noyes, Nathan	December 27, 1821.	
Prescott, Oliver	December 24, 1821.	
Smith, Josiah	December 27, 1821.	

BOSTON, MASS. "NEW ENGLAND."

Bartlett, John S.	January 17, 1822.	Of the Royal College of Surgeons, London.
Bigelow, Jacob	January 2, 1822.	
Channing, W.	December 22, 1821.	
Coffin, John G.	December 1821.	
Cushing, E. D.	January 3, 1822.	
Danforth, Samuel	January 9, 1822.	Pres. Mass. Med. Soc. 1795-1798.
Dexter, Aaron	January 1822.	Prof. of Chem. & Mat. Med. E. Meritus in University at Cambridge, Mass.
Gates, Jacob	(No date.)	
Gorham, John	January 9, 1822.	
Haywood, Geo.	December 24, 1821.	
Ingalls, William	January 15, 1822.	
Jackson, James	December 24, 1821.	Prof. of Theory & Practice of Physick in Harvard Univ.
Niles, Nathaniel	January 17, 1822.	
Rand, Isaac	December 26, 1821.	Pres. Mass. Med. Soc. 1798-1804.
Randall, John	December 20, 1821.	
Shattuck, Geo. C.	December 21, 1821.	
Shurtleff, Benjamin	January 11, 1822.	
Townsend, David	January 7, 1822.	Physician to Marine Hosp.
Ware, John	December 25, 1821.	No. 48 Hanover St.
Warren, John C.	January 2, 1822.	
Welsh, Thomas	January 11, 1822.	Quarantine Officer.

RECEPTION BY LOUISIANA HISTORICAL SOCIETY TO THE SOUTHERN MEDICAL ASSOCIATION, 1924

On Monday, November 24th, 1924, the Louisiana Historical Society held a reception at the Cabildo in honor of the President and officers of the Southern Medical Association under the auspices of a Committee of the Society consisting of Miss Grace King, Chairman, Miss Nellie Farwell, Miss E. E. Moss and Miss Anna R. King.

The visitors after being shown through the rooms of the Society and the various relics exhibited and explained to them, gathered in the sala capitular where Dr. Rudolph Matas made the following address.

Address of Dr. Matas

The City of New Orleans has been honored by the visit of the Southern Medical Association, and in choosing this city for the celebration of its Eighteenth Annual Session, has assembled in our midst a great army composed of Southern gentlemen and ladies, all soldiers in the service of Medicine; all enlisted in the silent, but relentless warfare against disease,—against the foes of the health and prosperity of our people.

No city in the South and no people on the North American continent have received greater benefits or enjoyed more prosperity than have come to this community and to the people of this great Southland, than have come to them through the genius of sanitary science as revealed and applied by the great leaders, thinkers and generals of the Medical profession who are assembled here today.

It is due to the sleepless investigations of the men of Science who are here so worthily represented by our distinguished guests, that New Orleans is free today from the thraldom and pitiless oppression of the invisible, exotic enemies which in the form of deadly pestilence, had fastened upon her and bound her as to a pillory, for over a century.

Thwarted in her growth by the enormous tolls of life and strength imposed upon her by the frequent invasions of foreign pestilence, her legitimate aspirations were crushed and she was denied that supremacy in her metropolitan, commercial and industrial existence, that the generous gifts of Nature

had entitled her, and that the wisdom and sagacity of her founders had planned for her.

It was through the victory won after the desperate battle fought in the streets of New Orleans and in the house to house struggle of that,—for all time,—memorable Summer of 1905, that the people of the city with the slogan "Away with mosquito," "Down with the Stegomyia," as a battle cry exorcised and vanquished the Yellow demon and his myriads of winged allies, and forever banished him from our shores.

All honor to the great army of trained sanitarians of the United States Public Health Service and to their great Commander, Joseph H. White, to his Staff of able and faithful lieutenants (several of whom I am happy to see in our midst), aided by the Chiefs of our City and State Boards of Health, and to the devoted and valorous volunteer forces gathered from the Medical Profession of this city, who led our united and determined citizenry in that gallant fight. Since that epochal day, well nigh two decades have elapsed and New Orleans unfettered, and free from the fearful menace that hovered over her, has spread her wings and soaring, Phoenix like, over the ashes of her dead past, is now on her way to the cloud-capped heights of her boundless future.

Yes, Ladies and Gentlemen, the New Orleans of 1924 is not the New Orleans of 1905, and it will require no microscope or telescope to visualize the prodigious, nay, the phenomenal, progress that this city has accomplished in the course of these eventful and fruitful years. New Orleans is no longer only a city unique on the continent as the realm of King Cotton and King Rex, for the charm, beauty and the romance that attaches to its colonial architecture, its historic traditions; by the picturesqueness of the diversified elements of its cosmopolitan population, by the warmth of its hospitality, or, by the far-famed conviviality of its inhabitants; no, it is that and more; it is now a city of progress, a city of salubrity, a city of industry, a city of commerce, embracing a port of vast maritime activity second only to the greatest harbor of the continent, a city growing day by day; growing by the addition of a new and energetic population attracted by the security given by its healthfulness and inspired by the vision of its limitless potentialities. New Orleans is not now figuratively, but literally, the great metropolis of the South, a modern twentieth century

capital moved by a titanic heart pulsating with throbs that circulate and distribute the life of her commerce and industry to all the quarters of the globe. We are now witnessing a transformation in her municipal history which surpasses in splendor the most fantastic dreams of her prophetic founders. A transformation which affords those of us who live here, witnessing the amazing changes that are daily presented to us, a phenomenal vision of a coming greatness that even the ambitious mind and far-seeing brains of a DeSoto, a LaSalle, or a Bienville could not have conceived even as a mirage or as a delirious illusion.

Nothing more fitting, nothing more auspicious than this meeting of the custodians of the history of Louisiana and the representatives of a profession that has contributed so largely, so freely, so heroically and yet so unpretentiously, to the making of history in Louisiana and in the South, should take place in a hall that was built-over in 1795 by one who was the foremost and most humanitarian of the citizens of New Orleans, and who did more to promote and protect the health of her people through the science and art of medicine than any of his predecessors or contemporaries. I refer to that generous and philanthropic Spaniard, Don Andres Almonaster y Rojas,—the founder and builder of that noblest and oldest charity in the State of Louisiana,—the present Charity Hospital of New Orleans. Allow me, therefore, in behalf of the Medical Profession of New Orleans, to thank you, Mr. President and Officers of the Louisiana Historical Society, the Honorable Board of Administrators of the State Museum and its most efficient Curator, Mr. Glenk, for the cordial and grateful welcome that you have given to our distinguished guests,—the President, the Officers, the Councilors and the Trustees of the Southern Medical Association,—all plumed knights of the army of Health and Healing.

* * *

And now a few words more to thank the gracious lady, who as former secretary of the Historical Society of Louisiana, and as our hostess, has adorned this occasion with her queenly presence. Yes, queenly; why! is she not the Grace of Kings?—the crowned queen of the Belles-Lettres of Louisiana, and a queen of Hearts in the affections of her people?

Miss Grace King, historian, novelist, the author of the "History of Louisiana," "New Orleans, the Place and the People," "The Creole Families of New Orleans," "LeMoyne, Sieur de Bienville," "DeSoto and his Men in the Land of Florida," "La Dame de St. Herminie," "Balcony Stories," "Monsieur Motte," "Madame Girard," and other innumerable and priceless gems that she has placed on the crown of literary Louisiana has done more to make New Orleans an interesting city and to invest this metropolis with that traditional beauty, charm and romance which has given it renown, than any other living interpreter of the composite genius of her people.

Born in the midst of surroundings that breathed the spirit of Latin civilization, nursed and reared in an atmosphere sweetened and mellowed by the song and folk lore of the gentle descendants of the early French and Spanish colonists, she has lived their lives, moved in the currents of their blood, spoken their language and their thoughts, felt their joys and sorrows, and has understood and loved them with a depth of feeling that has never been approached by any historian or littérateur of anglo-saxon derivation. Through the magic of her pen she has quickened the dead and breathed life into the dust of the Past and miraculously transmuted it into a palpitating, visible and tangible reality.

She has made romance out of history and history out of romance. To quote the language of one of her gifted contemporaries, "she has not only given us back our Past, but she has stuck a rose in its teeth and set a pomegranate bloom behind its ear."

Were it possible to go back to the fifteenth century and live again the life of the valorous and courtly Spanish cavaliers whom she so vividly depicts in her "Hernando de Soto and his Men in the Land of Florida," I would borrow the broadest hat and adorn it with the brightest plume and with the gold and scarlet colors of Castille, that I might bow in sweeping salutation to the illustrious and most excellent Lady, Doña Gracia de los Reyes, and if I wore a cape of the choicest velvet of Seville, I would spread it at her feet as was wont in those gallant days, that she might step upon it, in sign of the most perfect admiration.

But not possessing Lady Grace's talisman by which to transmute the prosaic Present into the Romantic Past, I must

be satisfied in a more modern fashion with the offer of this nosegay, to which is attached the wish, which I am sure is shared by all present,—that the beauty and the perfume of these flowers may remind her of the fragrance and the charm that her presence, and that of the great ladies of her court, have given this memorable occasion.

After the presentation to Miss Grace King of a beautiful and elaborate bouquet, she responded in feeling terms to the encomiums bestowed upon her by Dr. Matas and then briefly but forcibly reviewed the history of Louisiana from the landing of Bienville to the acquisition of the United States.

Miss King was assisted in receiving the visitors by the following members of the Society: Mr. G. Cusachs, Mr. H. P. Dart, Dr. Oscar Dowling, Miss C. S. Freret, Mr. W. O. Hart, and Dr. E. S. Lewis.

A YELLOW FEVER RETROSPECT AND PROSPECT

BY RUDOLPH MATAS, M. D., New Orleans, La.

[The life and labors of Chervin so admirably related by Dr. Rucker in this issue of the Quarterly has suggested that a *Retrospect* and *Prospect* based upon the history of yellow fever and the effect of the great Sanitary Victory of 1905 upon the present salubrity and prosperity of New Orleans, might be of interest to the readers of this review. Availing myself of the courtesy and favor of the Editor, I venture to submit this paper as an extension or supplement to the address at the Cabildo, which also appears in this Issue. R. M.]

I

The life of Chervin and his world quest for the causes of yellow fever, as told by Dr. Rucker is typical of the indomitable will and altruistic purpose which animated the early medical pioneers in their efforts to unravel the mystery of the great epidemic migratory diseases. It is the story of a man who sought the light with extraordinary tenacity and singleness of purpose, a devotion and consecration to a great humanitarian cause which spared no sacrifices, and risked life itself in the prosecution of his self appointed task. But he failed to see the light in spite of all the intelligence, patience and tireless energy that he brought to bear upon the problem that he sought to solve, because the truth was concealed in the impenetrable veil of mystery, legend and dogmatic tradition which fogged and obscured the vision of the intellectual men of his time. In Chervin's time the Scientific world was still groping in the dark for the cause of yellow fever and all the other epidemic and migratory diseases. The cause and mode of transmission of yellow fever was enveloped in a mantle of tradition, mysticism, vague speculation and theories based upon imperfect and fallacious observations that only the extraordinary advances of experimental medicine of the century that followed Chervin's research were able to disprove.

The answers to Chervin's *questionnaire* given by the most prominent and best qualified leaders of medical thought and opinion in the numerous localities in the Antillean foci and the seaboard of continental America where yellow fever prevailed,

and which he recorded with the extraordinary fidelity as shown in Dr. Rucker's transcript, all reveal the confused and chaotic notions respecting the origin and propagation of yellow fever, malaria and other pestilential diseases which were held during the six centuries that followed the Columbian history of America.

Of all the influences that retarded the development of the modern concepts of the infectious and epidemic diseases, the belief in the spontaneous generation of these epidemics out of "miasms" emanating from decomposing inorganic or dead organic matter, in conjunction with physical, chemical, climatic and other cosmic forces, was the greatest hindrance. In 1870, the great physicist, Tyndall, wrote "The dominant mind of Aristotle (350 B. C.) stamped its notions on the world at large. For nearly twenty centuries after him man found no difficulty in believing in cases of spontaneous generation which would have been regarded as monstrous by the most fantastical supporter of the doctrine. Shell fish of all kinds were considered to be without parental origin; eels were supposed to spring spontaneously from the fat ooze of the Nile; caterpillars were the spontaneous products of the leaves on which they fed, while winged insects, serpents, rats and mice were all thought capable of being generated without sexual intervention." But as our eminent authority, Dr. Chaillé,[1] so well stated in commenting, forty-six years ago, upon this paragraph of Tyndall, "in nothing has this influence been more marked than in the views advocated respecting the causation of yellow fever and other epidemic diseases. There is not one of these, the origin of which has not been attributed to such causes as "Hell itself breathes out contagion to the world," "spasmodic convulsions of the sickened earth," "air corrupted by the aggregation of many races under the degenerating influence of torrid climates," "the malign influence of the Sun, Moon, Stars, Comets, Earthquakes, Volcanoes, Floods," "cosmotelluric influences," putrid emanations from human and animal excreta ("the theory of the fecal origin of yellow fever") "marsh gases," "sewer gases," "miasms and effluvia from putrid or decomposing vegetation in tropical climates," even the "emanations"

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[1]Chaillé, Stanford E.; Report of the Chairman, Havana Yellow Fever Commission of 1879. Annual Report, U. S. National Board of Health, 1880, Government Printing Office, Washington, D. C., 1881.

or poison gases generated in the bilge water and ballast transported in the holds of ships ("the ship origin of yellow fever"); hence the belief in the "miasmatic," "indigenous" and "*de-novo*" origin of yellow fever held with all seriousness and tenacity by intelligent and capable men in the localities in which it prevailed, even later than 1890.

It was not until the middle of the last century, long after Chervin had passed away and after the doctrine of spontaneous generation had been exploded by the conclusive and epochal experiments of Pasteur and of Tyndall, and that the fallacy of spontaneous generation in the biologic world, had been irrefutably demonstrated; and after the dependance of the phenomena of fermentation, putrefaction and infection upon the presence and activities of living ferments microscopic and ultramicroscopic organisms, capable of reproduction and independent existence, had been proven, that the modern doctrine of a contagium vivum or, the *germ* or microbic origin of yellow fever and similar epidemic infectious diseases came as the sun of a new day to illumine and dispell the darkness which had prevailed during the long night of the preceding centuries.

With the discoveries of Pasteur and his disciples, Lord Lister and Robert Koch, and the confirmatory evidence added by Scientific observers all over the world, a new Science came to birth, the Science of bacteriology and, later, the correlated branches of protozoology and parasitic entomology, which deal with the infinitestimally small forms of parasitic life that swarm in the invisible world. It is these, that in providing for their own existence, prey upon man and the rest of organic and inorganic creation, and thereby bring about human decrepitude, disease and death.

But it is not my purpose, nor is it pertinent to the subject which has prompted this communication that I should dwell upon the marvelous progress accomplished in every department of biologic Science by the achievements of the great workers of last half century who have so vastly expanded the horizon of Preventive and curative Medicine, Surgery and the allied Sciences. The methods and technic of bacteriology now constitute the daily routine of the student in every recognized medical school and we need only point to its vast literature to prove how idle it would be to discuss the role of the pathogenic

organisms in the production of disease. But in dealing with the pathogenesis of yellow fever with which we are now concerned, it is pertinent to explain that while the germ origin of yellow fever and other endemic and epidemic diseases were admitted as the most satisfying theory of their causation, the actual discovery of the specific germs that caused them, including those of yellow fever and malaria, was long delayed. Furthermore, the ways and means by which the poison or germ was transmitted or conveyed from the sick to the well was purely conjectural and remained a secret until 1900, or 26 years ago. Up to that time, it was supposed that the germs of the disease lived in the atmosphere and found their way to the body by inhalation through the respiratory passages. It was also supposed that these germs or poison of the disease clinging to the clothing, the bedding, furniture and all articles that had been in contact with infected subjects and places would be conveyed to distant parts where they reproduced the disease. Such articles were known as *fomites* or yellow fever carriers and were made the subject of most rigid disinfection and quarantine. But in 1900, an event of transcendent importance in the history of yellow fever and for that matter in the history of modern progress and civilization occurred in Havana which completely upset and demolished all notions and theories that had been previously entertained in regard to the mode of transmission and propagation of the disease.

II

The American Conquest of Yellow Fever in Cuba.

The American occupation of Havana at the close of the Spanish war of 1898-'99 brought with it a tremendous responsibility from the sanitary point of view. Yellow fever ravaged the city in spite of the efforts made by the illustrious sanitary director, then Major Gorgas, to cleanse and purify it. Great numbers of non-immune Americans and Spanish immigrants were dying and the situation was growing critical when the United States Army Yellow Fever Commission appointed by Surgeon General Sternberg, arrived to assist Major Gorgas in the investigation of the causes and prevention of the disease.

It is a long story to tell and one worn threadbare by repetition, at least among the men of our profession who read that glorious chapter of medical history which narrates the great

adventure undertaken in Cuba in 1900 by the intrepid band of Scientific investigators who constituted the United States Army Yellow Fever Commission during the American occupation of the Island, under General Leonard Wood. It was Walter Reed with his comrades James Carroll, Jesse Lazear and Aristides Agramonte who composed that heroic group, one of whom died (Lazear), and the other (Carroll) narrowly escaped with his life after voluntarily submitting to the sting of infected mosquitoes. Their names will remain imperishably inscribed in flaming characters as heroes of Science who did not hesitate to imperil and sacrifice their lives that the truth might be revealed that would save their fellow men.

It was the experimental evidence obtained by the most painstaking and perilous inoculation experiments practiced on members of the commission and a large number of non-immune volunteer soldiers and civilians, that led to the conclusive demonstration that the real and only means of yellow fever transmission was through the familiar domestic and fresh water mosquito known as the "striped," "brindled," or "tiger" mosquito, technically, the *Stegomyia* fasciata, or calopus (from the Greek, "pretty footed") and that by the protection of the patients from the bite of these insects the spread of the disease could be absolutely controlled. In this way a means of preventing as well as suppressing existing epidemics was at once suggested which placed the prophylaxis of yellow fever on an entirely new foundation, with undreamt of possibilities for a world-wide elimination of the disease.

In Havana, these observers found that already Dr. Charles J. Finlay had, as early as 1881, enunciated the theory, in no uncertain manner, of the propagation of yellow fever by the mosquito, furthermore, that it was a definite species of the mosquito, the stegomyia fasciata that was responsible for the inoculation and propagation of the disease. He unfortunately had not been able in his earlier experiments before the American Commission arrived, to give experimental proof that the disease could be invariably produced by mosquito inoculation.

"There are about 800 varieties of mosquitoes, but Finlay had picked out the stegomyia as the guilty agent. He had reached this conclusion by studying the peculiarities of yellow fever and the habits of this particular insect. Between the two he had detected certain suggestive coincidences. This mosquito, of all others, lived in closest cohabitation with men. Its geographical distribution was precisely the same as that

of yellow fever. It lived only below a certain elevation; yellow fever prevailed within the same limits. The temperature best suited to the existence of the mosquito were likewise the one where the disease throve most successfully. The literature of yellow fever also disclosed to Dr. Finlay that mosquitoes were always abundant where an epidemic of yellow fever prevailed. But, unfortunately, he had not been able, in spite of many experiments tried in the course of twenty years to reproduce the disease by inoculation. The proved production of a single case of yellow fever by the bite of the mosquito would immediately have lifted Finlay to the peak of fame. It was left to Walter Reed to explain the reason for this failure. Reed discovered that a mosquito, in order to become infected would bite the sick person sometime within the first three days of his illness. For the succeeding ten days or two weeks,—this was Dr. Carter's discovery—the mosquitoe is itself harmless; after that period has elapsed however it is more dangerous to human life than the most ferocious beast of the jungle. In these two facts lie the whole secret of infection through mosquitoes, but cunning Nature had for ages as shrewdly concealed them as she had the secret or mosquito infection itself.''[2]

Influenced and directed no doubt by Finlay's researches and, as they stated, also by the brilliant work of Major Ronald Ross, now Sir Ronald, of the British Army, and the Italian observers Grassi, Bignami, and others, in proving that malaria was propagated by mosquitoes of the anopheles species, and also by certain observations by that most sagacious observer, the late Surgeon Henry R. Carter, of the United States Public Health Service, then stationed in Havana, the Commission determined:

That yellow fever was, experimentally an inoculable disease and that blood taken from an infected patient in the first three days of the disease and injected subcutaneously into non-immune subjects would always reproduce it. Then, what was more important, they confirmed truth of Finlay's contention that the bite of the stegomyia fasciata was the one and only means of yellow fever transmission outside of the experimental laboratory, Furthermore, they found, first, that only the female stygomia was guilty of the inoculation as she alone needed blood for the breeding of her progeny; second, that the germ or poison of the disease could only be transmitted during the first three days of the infection, after which the infection ceased to be communicable to mosquitoes or anything else; third, that it required no less than twelve days for the poison

[2]Gorgas and Hendricks; William Crawford Gorgas, the Conqueror of Yellow Fever, Life and Works; Doubleday, Page & Co., N. Y., 1924.

to incubate in the body of the stygomia before she could infect any one with yellow fever; and fourth, that fomites wholly failed to communicate yellow fever although heretofore universally believed to be the chief or sole infectious agent of the disease. Every one of these four discoveries probably the most important ever made for the prosperity of our South was confirmed by the very best experts sent by Europe and America to the endemic centers of the disease to investigate and report upon the validity of this astounding and, to many, unbelievable revelation.

In the presence of these facts, Major Gorgas, heretofore a believer in fomites, put the discoveries of Walter Reed and his associates to a crucial test, by carrying out a systematic campaign of mosquito extermination and control, with the result that in Havana, where yellow fever had existed, without a single day of freedom from the disease, for 140 years (1762-1901) the disease was then suddenly and marvelously suppressed. Gorgas began his work in March, 1901, the deaths subsequent to this date were precisely five. In 1905, it is true, there was another outbreak, but it was promptly checked by the Gorgas methods. Since then, 20 years have passed and not a single case of the disease has been reported in the city that for centuries had been its main headquarters.

Dramatic as yellow fever has always been, there is nothing in its history so dramatic as its sudden cessation. "It was like a sea that had been tossed with storms for a century and a half and then, seemingly without warning, became as quiet as a mill pond. No wonder the whole Scientific world was aroused in the presence of this tremendous fact. It signified that the human mind had once more risen superior to Nature and had penetrated one of the secrets which she had cleverly hidden for ages." To Gorgas it meant that what had been done in Cuba could be done in other disease ridden countries; what had been accomplished with yellow fever could be accomplished with other similar plagues. At that time mighty areas of the Earth's surface were inaccessible to man chiefly because of contagious diseases transmitted through the intermediary hosts of the insect world; malaria and dengue, by special varieties of the anopheles mosquitoes; the dreaded and lethal "sleeping sickness" of equatorial Africa, by the Tsetse fiy; the elephantiasis of the tropics or filariasis, by another species of mosquito; Bu-

bonic pest, by the rat flea; Rocky mountain and cattle fever by the tick; typhus by the louse, bed bug; etc., etc. In this way daily experience and the scientific study of insect life proves that the minute microbic and invisible denizens of the microscopic world find in the vampire habits of the grosser and familiar domestic parasites and vermin, that pester human life, a ready avenue by which to penetrate our bodies and feast on our blood and tissues.

In extenuation of the ignorance and errors that prevailed before the causation of the miasmstic diseases we must reflect with Sir Rubert Boyce[3] that though we are wiser now that we have the true facts before us, we must freely confess that the medical men of the pioneer tropical days, living in infected centers, must have been puzzled and awestruck to find strong men struck down by the fever at the rate of 69 per cent. It was not want of good food or water, or accommodations. No, they were struck down by some unseen hand, and Medicine said that hand was the miasm. Today we know it to be the mosquito; and whereas formerly acting on the "miasm" theory, not one life was ever saved; today, armed with the new knowledge we visit the "miasmatic" countries with the same feeling of security that we do when we pay a visit to New York or to Chicago. But did no one in the days gone by stand fourth and try to stem the tide of prejudice and tradition? Were there philosophers who saw something dangerous in the common mosquito? Yes, and the names of Josiah Nott, of Mobile (1848), Louis D. Beauperthuy, of Guadalupe, French West Indies (1853), Surgeon General Danial Blair, of British Guiana, Dr. A. F. A. King, of Washington, D. C. (1882), and especially Carlos Finlay, of Havana (1881), have been indelibly inscribed in history as prophetic seers who heralded the discovery of the mosquito borne diseases long before the actual truth of their prophesies was actually demonstrated.

III

The Anti-Mosquito Campaign and the Victory of Sanitary Science In New Orleans, in 1905.

The lessons taught by Gorgas' triumphant suppression of the yellow fever in Cuba were not long in finding an opportunity to confirm their value. This time, the struggle for supremacy between the mosquito and man was to take place in an arena even more propitous to the stegomyia than Havana, in the conditions favorable to its activities and propagation. For it was in New Orleans, the great semi-tropical metropolis

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[3]Boyce, Sir Rubert; Mosquito or Man? The Conquest of the Tropics; Murray, Lond., 1910.

of the South, with its warm summers, its hundred thousands of rain water cisterns, its miles of open gutters and a population of over 300,000 people of whom more than 75 per cent were not immune, by previous attack, to the disease, it was the New Orleans of 1905, that was to be the scene of the contest. This happened in the Summr of 1905, scarcely four years after the first defeat in Cuba, that "yellow Jack" had ever sustained in the six centuries that he had ruled over the tropical world. During these four years (1900-'04) no case of yellow fever had been reported in New Orleans. The great epidemic of 1878 which had sickened over 27,000 and killed 4,000 of its inhabitants was not forgotten, but the five lesser epidemics of 1879, 1880, 1883, 1897 and 1899 and especially that of 1897, with its nearly 2,000 cases, and a total of 300 lives lost, proved that the great conflagation of 1878 had not nearly exhausted the supply of living combustible that was available for the spread of the disease. During the calm of the four years that preceded the invasion of 1905, a large increment of non-immunes was added to the population. These were chiefly recently arrived Italian immigrants who concentrated in the heart of the old colonial city (the Vieux Carré), known as "little Italy," close to the river front and to the shipping and river craft, always the starting point of the great yellow fever conflagations of past years. The householders of the city depended almost exclusively for their water supply upon cisterns, tanks and barrels and other open receptacles where the stegomyia could breed under protection in luxuriance and plenty. The mass of the population lived in unscreened houses; the sewerage and water systems were limited to small areas, largely in the business part of the city, and the open gutters with stagnant pools, collected in miles of unpaved streets, furnished the conditions most favorable to mosquito propagation. All the elements were now assembled for another outbreak of the plague; human tinder in abundance, myriads of stegomyia mosquitoes to carry the incendiary torch from house to house and from man to man. All that was missing for the explosion was the match to light the first fire, and this came as usual, through ignorance, carelessness and stealth, when an infected passenger or an exotic cargo of bananas infested with the stegomyia of yellow fever was landed, presumably from Belize or Puerto Cortez, where yellow fever had been known to exist several

weeks before it was reported in New Orleans. The fact remains that when the presence of yellow fever became known to the public on July 12, over 100 cases and 20 deaths had occurred and an area covering 24 squares had been invaded by the disease. When the United States Public Health and Marine Hospital Service took charge of the situation on August 8th, there were 616 cases in 101 foci, counting the "infected district" in the Italian quarter, as a single focus.[4]

From all this it is evident that the enemy was well entrenched and had taken possession of a very wide area of the city when the antimosquito campaign was systematically begun. To the great and lasting credit of Dr. Quitman Kohnke, then the health officer of New Orleans, be it said, that if the community had heeded his warnings, and followed his advice, the epidemic would have been nipped in the bud or prevented altogether. He was unfortunate enough to be ahead of his time. He had closely followed the antimosquito campaign in Havana, under Gorgas, and was fully convinced that the secret of yellow fever eradication lay in a systematic warfare against the mosquito. He lectured and he preached for over three years, but his preachments and appeals fell on deaf ears. He prophesized but shared the fate of most prophets. In New Orleans, as in Havana, "the city swarmed with mosquitoes; they existed in countless, uncountable billions. They filled every alley way, every street, every house, every nook and cranny. At times they settled over the community almost like a cloud." The Orleanians themselves like Havanese had become accustomed, practically reconciled to the insects as an unavoidable evil; the strangers looked upon them as the bane of their existence." The oldest residents were pessimistic and believed that New Orleans had always had yellow fever and would always have it. "To run around the city attempting to banish the disease by killing these gnats what occupation would seem more useless and more ludicrous? One might as well attempt to banish the air in which the mosquitoes passed their brief destructive lives." Those who had lived through the terrors of the epidemic of 1878, recalled the failure of the wholesale attempts made by Dr. Chopin, then the President of the Board of Health, to disinfect the atmosphere by sprinkling the streets with quantities of carbolic acid and other disin-

[4]Augustin, George: History of Yellow Fever. Searcy & Pfaff, N. O., 1909.

fectants with the hope of destroying the germs that lived in it. At that time it was conjectured that yellow fever was conveyed by the germ laden atmosphere and no one even dreamed that the familiar mosquito had the slightest causal relation to the disease. It all ended in ridicule and the general discredit of the methods of disinfection adopted at the time. The time had not come when even the sanitarians themselves had learned that all methods and measures of sanitation were futile when not applied for the specific purpose of destroying mosquitoes. Kohnke had to deal with a large, ignorant, skeptic, superstituous and foreign element of the population, as well as with an unscientific and somewhat careless better class. Many of the doctors looked upon Reed's discovery largely as an academic performance with no practical application. In the absence of the enemy no one took determined, energetic steps to secure the defense by following Gorgas' example and declaring a preventive war against yellow fever by exterminating the mosquitoes. Kohnke's financial budget as health officer, was entirely too limited to permit him to put his plans into operation on his own official resources and the State Board was likewise powerless. Furthermore, as he once wrote, "the politicians thwarted all his plans and designs, and the public was indifferent!" None the less, Kohnke, full of conviction and of faith, preached, lectured and urged, that at least the cisterns should be screened; he did everything he could. As in Cuba, the eradication of the mosquito was looked upon as so preposterous an affair that many laughed openly at his ideas; "some listened, but did not understand; others deliberately turned their backs. Most went on carelessly thinking that there were a great many more vital questions than that of the mosquito. Then came 1905, and they woke after they had it. But when they awakened, they fought and the result was a great victory, greater than that won by any general or admiral of modern times."[5]

The health authorities of the city with Dr. Kohnke at their head, aided by the municipal government, the State Board of Health, the Advisory Committee of the Orleans Parish Medical Society, the Citizens Auxiliary Committee and several volunteer ward organizations,—had already started the anti-mosquito campaign before the Public Health service took charge on August 8th.

Dr. H. Dickson Bruns[6] has published an admirable account of the methods adopted by the citizens of the 10th ward under his direction,

[5]Mitchell, E. G.; Mosquito Life; Putnam, N. Y., 1907.

[6]Bruns, H. Dickson; In Augustin's History of Yellow Fever (ut supra).

immediately following the initial meeting presided by that public-spirited and beloved clergyman, the Rev. Beverly E. Warner, Rector of Trinity Episcopal Church. The methods put in practice in that ward were already a model of efficiency in the most approved methods of mosquito extermination when the Federal authorities took charge of the campaign.

When that distinguished sanitarian, Dr. Joseph H. White was placed in supreme commend, and he and his staff of 40 trained assistant surgeons of the U. S. Public Health took charge of the campaign on August 8th, the epidemic had already gained great headway, with 616 cases and it was evident that the infection was wide spread not only in New Orleans but in other parts of Louisiana and Mississippi. Following the example of Gorgas, he at once established his headquarters in the center of the business district and proceeded to divide the city into sections with 18 ward headquarters, each in command of a trained medical officer with one to six medical assistants to supervise the work of the corps of inspectors, fumigators, screeners and tenders of supplies. These worked hand in hand with the army of citizens who volunteered to assist in carrying out the details of the work. As in Havana, a systematic house to house inspection was organized which gave detailed information not only of the cases of sickness but of the conditions favorable for mosquito propagation that existed in each house. The principles that directed the sanitarians in their work were to destroy all the breeding places of the stegomyia by screening the cisterns and to prevent all the adult mosquitoes finding access to the water necessary for breeding purposes, and to kill the larvae or "wigglers" by oiling the surface with Kerosene. This work was so systematically and effectively carried out that by the end of August, 70,000 cisterns had been screened and all other containers where the mosquitoes could breed were oiled, drained or destroyed. Gutters and pools were flushed, oiled or salted, as the stegoymia will not breed in brackish water, and, in this way, fully 950 miles of gutters were oiled or salted. When a case of fever was reported warning was at once given to headquarters. The patient was removed to the mosquito proof hospital which was improvised on Dumaine Street, in the heart of the Italian district where Dr. Hamilton Jones, with his staff with Father Paroli were in charge, the latter officiating as counselor and interpreter. If there were objections, the patient was allowed to remain at home, under watch, with every precaution taken to prevent contact of mosquitoes with the sick, who were kept under mosquito bars. Every room and every inlet or outlet was screened or sealed so that no mosquitoes could enter or escape, after which all the insects were killed with standardized fumigations of sulphur, pyrethrum, formaldehyde or other culicides. The process with again repeated within 12 days to make sure that no infected mosquitoes remained.

While all this work was going on an intensive propaganda was carried out throughout the city to rouse the people to the

importance of destroying mosquitoes and their breeding places, to teach them the habits and vulnerable points of the stegomyia particularly, and the simplest and best means of effecting their destruction. In this crusade of publicity, the mayor, governor, and the health authorities and the press, joined with frequent and inspiring proclamations. But the public sentiment was roused to the full consciousness of the gravity of the emergency by daily meetings in churches, schools and all public places, all over the city. There the alarm was spread and the sentiment of the mass in aid of the antimosquito crusade was raised to the highest pitch of excitement and of willing co-operation, by numerous speakers recruited from all the professions and the leading citizens of the community. While there were still many skeptics, the majority even of these acquiesced very good naturedly in what was being done for the common weal. The attitude of some were shown in the incident related by Dr. Bruns. He related that "one hard-headed old Irishwoman absolutely refused to allow her cistern to be oiled. When finally persuaded by one of the most diplomatic of our foremen she exclaimed: "Well, come in and do it, if yez is bound to, but I don't believe yez can keep the Lord from gettin' those He wants by puttin' a little ile on the cistherns."

In order to deal with the more recalcitrant, an ordinance was passed by the city council early in August which made it unlawful for any property holder to allow cisterns, wells, tanks, barrels or any other water container that could serve as breeding places for the mosquito to remain unscreened or otherwise treated with oil or in any manner prescribed by the Board of Health. In this ordinance the Board was given full authority to act as it deemed best in the public interest. A fine of $25.00 or imprisonment for 30 days was imposed on all violators of the provisions of this ordinance. And another ordinance still more specific in prescribing the manner in which water containers liable to breed mosquitoes shall be cared for within the limits of the City of New Orleans was passed on September 26. But it is not recorded that many fines were imposed.

While the fundamental principles that guided the sanitarians in the antimosquito campaign were simple enough their application in actual practice in a city of 375,000 inhabitants of the most heterogenous composition and with a terrain made extraordinarily fit for mosquito culture, bristled with difficulties and innumerable pitfalls which would have been discouraging in the extreme but for the example of an accomplished fact set by Gorgas in Havana.

With the population fully roused and enthusiastically co-operating with the leaders, the effect of the campaign upon the prevalence of the mosquitoes and the fever soon began to tell. From August 12 until November 16, when the last case was reported there was a constant and steady decline in the daily number of cases. The greatest number of cases was recorded during the five days from August 12 to 16, during which 338 cases were reported.

Contrary to all previous experiences an epidemic of yellow fever beginning in May, but only recognized in June, had been well controlled by September and completely suppressed by November, long before the first frost which occurred on December 5th, and which in all previous epidemics had been depended upon as the only certain means of extinguishing the disease. By comparing the records of 72 yellow fever epidemics from 1796 to 1905, with records of 1905, it is conclusively proven that there never was before, any year wherein there were as many as 57 deaths by yellow fever, as early as July, that was followed by only 460 deaths for the year. The great epidemic of 1878, which also began in May, pursued its death dealing course, unchecked, until the frost came. It attacked 27,000 persons and killed 4,046 and at the lowest estimate involved a loss of over fifteen and a quarter of million of dollars. The visitation of 1905 had a larger non-immune population to feed upon, and double the number of inhabitants. Yet it attacked 3,402, of whom 452 died. It was discovered about the same time, in the middle of July and, side by side, the figures show that if it had been allowed to continue its course, the record of 1878 would have been surpassed. As a matter of fact that record was surpassed in the total number of deaths to August 10. But that date was the turning point in the fight. The campaign inaugurated by health officer, Kohnke, in July and continued by Dr. White with the combined forces of the Public Health Service, the city and state authorities, the organized medical profession and the united citizens of New Orleans, began to tell, and thenceforth the followers of the new doctrine knew they had won. Dr. Chaillé basing himself on the greatly increased population and the greater number of non-inmunes in 1905, estimated that if the epidemic of that year had followed the same unchecked course until frost, as that of 1878, there would have been not less than 30,000 additional cases and

4,000 deaths among the men, women and children in New Orleans. Therefore, as Dr. Chaillé pointed out in 1906,[7] "every citizen who contributed time and money to the holy war of 1905, can congratulate himself with the conviction that he has to his eternal credit some portion of at least 30,000 fellow citizens rescued from suffering and 4,000 of these from death."[8]

* * *

It has been said that the first victory over yellow fever was in Havana in 1901, the second and greatest, in New Orleans, in 1905.

In both conflicts the victory was won by declaring war on the mosquito. In the first battlefield, Havana, a beautiful island, Cuba, "the pearl of the Antilles," was delivered from the bondage of centuries; in the second, New Orleans, the fate of a great metropolis was decided and with it, the future prosperity of the Southern half of the American continent was definitely secured. A little reflection will show that this is no exaggeration when we consider what the perpetual menace of periodical visitation of yellow fever meant in the past to the life of New Orleans; to its reputation for insalubrity, to the forbidding effect upon its civic developments and to the dwarfing influence it had upon its commerce as well as upon the progress and development of the entire South. It restricted and actually forbade the most desirable immigration, it kept capital, industry, manufacture, commerce and finance at a distance; it put an embargo upon its maritime and river traffic and diverted the great railroad trunk lines into other tracks.

The victory of 1905 had the immediate effect of inspiring confidence in the future of New Orleans and the whole Southern Seaboard. The existence of an immeasurable evil had been suppressed and the means of preventing it in the future had been discovered. It put a new spirit and a new faith in a once apathetic plague stricken, discouraged population. By revealing the dangers that lurked in the mosquito it brought the community face to face with the startling realization of its perils; of the persistance of primitive and obsolète methods of sanitation or *insanitation* which had long ceased to be fit even for a colonial

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[7]Chaillé, Stanford E.; Two Yellow Fever Topics; N. O. Med'l. & Surg'l. Jnl., June, 1906.

regime. It made necessary the abolition of the cisterns, the open gutters, mud streets and other perpetual culture media for the breeding of insects and the spread of disease. It called for an immediate action in recasting the old system of water supply, drainage, sewerage and street paving, that a great and growing modern metropolis demanded for the hygienic existence and security of its population. It was, therefore, the battle of 1905, which put a spur to the sanitary regeneration which we contemplate with so much pride in the New Orleans of today.

IV

The Debt of New Orleans to Medicine and Sanitary Science.

The news of the victory of New Orleans over yellow fever and the lessons taught by the anti-mosquito campaign of 1905 has spread like an evangel of salvation throughout the world. The vast populations in the sea bordering states and the people of the Mississippi Valley, hitherto imperiled by the same cause, have shared with us the benefits of the same sanitary strategy which has insured our immunity and safety. With that perennial focus of the disease in Cuba and the West Indies, with the great ports of Central and South America regenerated in the same way, the dangers of importation from these most dangerous sources had been definitely eliminated.

Read the history of the construction of the Panama Canal if you wish to get an idea of the powers of modern sanitation based upon experimental medicine. There is nothing to match it in the history of human achievement. Here again it was the genius of sanitary science embodied in the great figure of Gorgas that made this colossal enterprise possible. Our shippers, merchants, manufacturers and financiers alway point to the enormous benefits that New Orleans and the South in general have received through the accomplishment of this stupendous achievement. This is true, absolutely true, and no one can deny it. But where would the canal be if sanitation, directed by Gorgas, and his medical lieutenants, had not made it possible for the white man to live in Panama so that General Goethals and his engineers might carry out their plans and their titanic work in safety and in comfort. Furthermore, the Latin-American countries to the south of us have also been redeemed in these past twenty years from the bondage of Yellow fever,—the greatest destroyer of

maritime commerce that the world has known. Now that they are redeemed by the same anti-mosquito methods that saved us in 1905 they will grow, expand and prosper as we have and we shall approach each other and embrace as brothers long parted without the fear and the woe of the Past. When we see what medicine and sanitation have done to save the world from the fearful toll exacted by this one fell disease,—yellow fever,—and when we consider that it was here, twenty years ago that the first demonstration was given in the American Continent that sealed the doom of this plague, am I not right in saying that the prosperity of the greater New Orleans of today has been built upon a sanitary foundation and that New Orleans is a city made salubrious and modern, like Havana, Panama, Rio Janeiro, Vera Cruz, Guayaquil, and every one of the great ports of the central and South American republics, through the genius of medical science?

Why not commemorate this event with a suitable memorial that shall remind future generations, for all time, of their debt to Science and Experimental Medicine? A thoughtful citizen has recently suggested in public print, and very properly, that the history of New Orleans should be written on its monuments and that the most central and frequented square in the city should be adorned with tablets and memorials to commemorate the deeds and lives of the patriotic citizens and philanthropists and others who have contributed so generously, unselfishly and, in many instances, self sacrificing to the uplift of New Orleans and to the welfare of her people. This city is not lacking in monuments, statues and memorials to the great soldiers, patriots commanders and statesmen who have enriched the history of Louisiana and of the South with examples of the military prowess and genius of our people. There are others dedicated to the valor and the virtues of the noble men who stand in history as the embodiment of the spirit of the South in the poignant days of her greatest trial; men who fought and died that the principles of freedom and right that our fathers deemed sacred and inviolate might be preserved; these are the statues and monuments dedicated to the heroes of the Confederacy and of the Lost Cause,—heroes who live in the undying gratitude of their people. Nor have we failed to remember by appropriate memorials many of the philanthropists and altruistic citizens who have given their all and their best, to promote in times of peace the welfare and civic advan-

tage of the community. New Orleans is therefore, not wanting in monuments to testify to the admiration and gratitude of the people to their benefactors,—a trait which is certainly characteristic of the warm-hearted people of our city. But all these monuments are with rare exceptions memorials of the lives, deeds and events related to the history of the Past. No where do we see recorded or inscribed in public places names of the great leaders and thinkers who in 1905 delivered the city from the most destructive and deadly of its foes. Nowhere is there a monument that commemorates the conquests of sanitary science or that holds to the public eye the names of the illustrious men who discovered and applied the principles that gave us the strategy and the weapons by which the city was purified from the scourge of yellow fever. It is not only New Orleans but the entire South that should give freely and generously to such a monument, but, it is New Orleans, as the most favored beneficiary, that should lead the way.

When we consider what the delivery of New Orleans from the thraldom of yellow fever has meant to this city, and to the whole South, is it not also proper that the school children should be taught in their text books the names of the great men who contributed to such a stupendous achievement? Should they not learn that the peaceful and bloodless victories of Science that mark the triumph of man in the eternal conflict with his invisible but deadly foes,—the predatory parasites of the microscopic world,—are fraught with infinitely more significance to the welfare of the race than all the bloody battles that bear testimony to man's inhumanity to man?

Let us teach them to learn that the year 1905 marks an epoch in our historical chronology of no less importance or significance than the year 1815 which is annually celebrated on the 8th day of January to commemorate the Battle of New Orleans and the glorious victory of Andrew Jackson which delivered New Orleans and Louisiana from foreign rule. Let them learn the names of William Crawford Gorgas, of Carlos Finlay, of Lazear, Carroll and Agramonte, the heroes of the United States Army Yellow Fever Commission, who risked their lives in Havana that the secret of the great Yellow Plague might be revealed.

Let them know the names of the brave and patriotic citizens, doctors and others, who volunteered and won the great fight in their own New Orleans. Let the children know that the Monster

that we destroyed in 1905 was a million fold more voracious than the fabled Minotaur, since he devoured in the course of little over a century, within this Southland alone, more than a hundred and fifty thousand victims, and sickened over a half million people almost unto death. He had terrorized millions of others so that they fled from their homes and in this way depopulated and impoverished, at a cost of incalulable millions in dollars, the beautiful and fertile land of their fathers. But in 1901 a modern Theseus came to Havana dressed in the uniform of an American Army Surgeon who slew the Minotaur in his lair and from that day on the people of America were delivered from the annual toll of life and riches that the monster had exacted from the people of their country and of others.

But while we rejoice in the fall of the Stegomyia breed of mosquitoes and with them the extinction of yellow fever let us not forget that the minions of that arch enemy,—the mosquito,—in its several guises and breeds, still lives in our midst, and that our sanitary redemption will never be complete until these pests are driven from our shores. We still have the anopheles that propagate malaria coupled with swarms of other mosquitoes that transmit other diseases and that render life almost unbearable with their stings in so many of our most beautiful and God favored summer resorts on the Gulf coast and in the rural districts. The improved sanitary conditions, the drainage and sewerage of the city, the pure and abundant water supply and the paving and building of the city have driven the malaria breeding mosquitoes practically out of the city. The progress in sanitation which has followed in the wake of the great discovery of the chief cause of our insalubrity in 1905, has reduced the general average mortality of the white population of this city, exclusive of the great epidemic years from thirty per thousand, fifty years ago, to 14.6 in 1922 and still less in 1925. Typhoid fever among the white population has declined from a rate of twenty to 1000 deaths in 1916 to 9 in 1922, and less in 1925. Malaria for the whole population has declined from a rate of 6 per 1000 in 1914 to 2 in 1922. The mortality from all forms of tuberculosis has been reduced for the white population from 227 in 1918 to 121 in 1922. A distinguished statistician and friend of the South, Dr. Frederick L. Hoffman[8] from whom I have quoted these figures,

[8]Hoffman, F. L.; Southern Health & Welfare, Address at Southern Governors Conference, Birmingham, October 29, 1925. Prudential Press. Newark, N. J., 1925.

states in a recent address delivered in Birmingham last October, before a meeting of Southern governors: "No further evidence is required to emphasize the statement that the sanitary progress of New Orleans in the last quarter century had challenged the admiration of all who are thoroughly familiar with its earlier highly unsanitary conditions." Again he says, "Nowhere on the globe has Nature done more for man than in the South and if man will do his share in redeeming the large areas which now suffer from the handicap of ill health producing conditions, if man will but provide the necessary drainage and the required sanitation for the destruction or elimination of the anopheles and other breeds of the malaria breeding mosquitoes and similar parastic pests, the 'new South' of the future will outdistance the 'new South' of the present as much as it now eclipses the 'old South' of a quarter century ago."

EDITOR'S CHAIR

HENRY P. DART

THE EIGHTEENTH CENTURY IN LOUISIANA

A learned professor said the other day that the 18th Century is a blank in Louisiana, meaning no one has yet touched pen to illuminate the first Century of civilized life in this part of the world. The professor is largely justified by the record as previously made up but the facts are the other way and the Quarterly has been doing its part for several years to let in the light upon that wonderful formative period of Louisiana History.

Our historians following Martin's lead have indeed compressed the french era into a mere chronicle in which we glimpse the names of passing rulers, changes in governments, and interminable indian wars. Under such treatment the first half century of life in Louisiana presents a poor, mean, inconsequential aspect. Upon all that interests us in the 20th Century, there is not a word.

One could safely say in our present state of ignorance that there were in those times none in Louisiana who merited remembrance in history, save the few idle rich or the incompetent masters who figure in these chronicles, yet we have but to follow the index of the French Colonial Superior Council Records appearing in every issue of the Quarterly to learn, the colony was filled with an active, ardent population, life was full of interest and many a worthy cause was sustained with zeal and intelligence by the dwellers in the land who have failed to interest this class of historians.

Just as the country crossed the second decade of the last half of the 18th Century a great drama was staged and Gayarre has lifted this into an epic with the King of Spain and his Colonial Captains as the virtuous heroes and the people of Louisiana as the misguided, scarcely audible victims of a few rascally and cowardly miscreants who attempted to balk the blessed interposition of a divinely guided autocrat.

Those who followed Gayarre have not gone much deeper into the sources of our history and in consequence, the generations since Gayarre know as little as he knew about the character of the people who sustained the commonwealth and who remained

on the soil, meeting and solving in their own way the many great complex and interesting problems that constituted the sum of life in these parts in those virile days which preceded and followed the Spanish Cession.

Passing over for the moment any reference to the Spanish period, we know from many repeated stories that there were many interesting incidents, many extraordinary occurrences, many vivid happenings in Louisiana under the French regime, but this flotsam and jetsam of history has touched few or none of the things that comprise that steady round of life which is the foundation of the perpetuity of a State. These substantial elements have remained unnoticed. One who quarrels with things as they are must be ready to prove his case. Let us then turn back the pages of the Quarterly and with its work for a guide select a few outstanding subjects to maintain our thesis and to enlist the interest of the future historian.

There was the sea-going commerce of the colony with its problems of finance, banking and exchange, all prominent features of local life in those days. New Orleans depended largely on this element and yet how little do we get of it in the fathers of history. Our records, however, are quite voluminous and at least one new chapter is here ready for the historian.

The inter-colony commerce is another subject of equal interest and in this connection an absorbing chapter must be devoted to a proper understanding of the underlying causes of the continuous and apparently irrepressible conflict with the Indian tribes and to the part played by the colonists in thwarting the ambitious designs of the American (English) Colonies based almost entirely on their purpose to absorb at any cost this Indian trade with the interior.

The economic history of that era is, of course, untouched by preceding writers with the exception of Mrs. Surrey in her book on Commerce of Louisiana in the French Regime, but she has confined her studies to a different department. Our full local records, with contemporaneous contracts, sales, exchanges and like data and particularly the inventories of mercantile and agricultural establishments, and of estates under administration, offer a splendid opportunity and when the Index is completed and published, the new world of Industrial Louisiana in the 18th Century will be ready for exploration.

The incidence of government in its relation to the colonists, is wholly unexplained in any of our histories. One branch of that subject, the judiciary, thanks to the work done by the Quarterly, is now an open book. We know how the courts reached the people and protected their persons and property. We have even ascertained what laws were administered and we can judge the effect of this administration upon the character of the people. These safeguards for life and property had much to do in creating a democratic spirit and an independence of thought, nothing of which can be found in the stock histories of Louisiana. But much more must be uncovered before any one can tell just what was the true relation of government and people in many other and necessary features of life in that era.

A vast subject, negro slavery in French Louisiana, also remains to be studied and incorporated into our history. Here we have material that will assist greatly in understanding a topic upon which our histories tell us little or nothing. We predict that this almost virgin field will some day yield the most astonishing results. The relation of master and slave in French Louisiana was in many particulars essentially different from the common understanding.

It is a remarkable fact that throughout the whole French Era a slave could complain in the courts against the master, he could testify under oath, he received considerate attention to his complaints and was often maintained in such conflicts; the whole course here was in painful contrast with his condition after the Colony passed into territorial relations with the United States.

The individual relation of the negro himself to the State is also a theme requiring close attention, the freedom with which manumission was permitted, the creation by this and by self purchase of a considerable body of free negroes, the family life of these black citizens, the reproduction of legitimate free children, the ownership by free negroes of slaves of their own race, and of other property, and above all the effect of this free labor on the labor conditions of the time, all these are aspects of an historical inquiry never heretofore attempted and yet an essential element in the neglected true history of ancient Louisiana.

We have briefly noted only a few of the things that the rewriting of the history of Louisiana must develop in the French Colonial Era. The first half of the 18th Century will then cease

to be the blank it now is in our books. When we follow this re-study through to the end of the Spanish Dominion, the hundred years that are called the Colonial Era of Louisiana, will be found to be full of living interest, and that period will cease to be regarded as sterile and on the contrary will take its proper place in the history of the great changes in human life that occurred elsewhere in the 18th Century.

RECORDS OF THE SUPERIOR COUNCIL OF LOUISIANA.

XXVII.

SUPPLEMENT INDEX NO. 4

(See Editorial Note on this Supplemental Index, Louisiana Historical Quarterly, page 676, October, 1924.)

(Continued from April, 1925.)

BY HELOISE H. CRUZAT

July 25, 1736. (5901) (1835) fo 3. 1 p. **Acknowledgment Before Notary** by Laurent Cheverly, called Vitry, locksmith of New Orleans, of his indebtedness to Sr. D'Auseville, to the amount of 56 livres, which he promises and obligates himself to pay in partial payments every three months, in default of first payment Sr. D'Auseville being authorized to return of forge as agreed between them. Signed: Laurent Cheverly dit Vitry, Piqurey. Henry, notary.

July 27. (5918) (1837) f. f. 1½ pp. **Receipt to Widow Antoine Rivard** for the sum of 707 livres, 8 sols, 11 deniers, and two slaves, by Sr. Jean Baptiste de Monbrun and Dame Francoise Rivard, his wife, as share accruing to said Francoise Rivard from succession of deceased Antoine Rivard and Marie Driar, his first wife, her parents. Signed: Jean bste Bouchee Monbrun. francoise rivard f. de monbrun. BoisClaire. frrivarD. Henry, notary.

July 30. (9048) (1881) 1¾ pp. **Nuncupative Will of Joseph Moreau,** who was found confined to his bed but in full possession of all his faculties, who after having recommended his soul to God and to his patron saint, St. Joseph, dictated his will, after which he declared that he owed nothing in this Colony but that he owes part of his daughter's board to the Ursuline Nuns, amounting to 37 livres; that his son, Joseph Moreau, owes him 57 livres. As he could not sign nor write, Jean Merle was called in to sign for him. Signed: Joseph Moreau le per, Merle, witness. Helene. Henry, notary.

Note: Joseph Moreau's heirs were two daughters in France, Joseph Moreau, his son; Helene Moreau and Julie Ozenne, a granddaughter.

(5941)
2 pp.

July 30, 1736. Inventory of effects in residence of Joseph Moreau made at his request, so that nothing may be diverted therefrom after his death. Inventory covers a few pieces of furniture, bedding, house linen, wearing apparel, crockery, kitchen ware. Signed: Joseph Moreau per helene. Henry, notary.

(5928)
8 pp.

August 3, 1736. Succession of Joseph Moreau. Sale of effects by Sr. Louis Joseph Bizoton, subdelegate of Mr. de Salmon, First Judge in the Superior Council, in the presence of the Procureur General, the Attorney of Vacant Estates and of the Clerk of the Superior Council. Signed: fleuriau. Ozenne. Bizoton. Henry, Clerk of Council.

(5938)

August 7, 1736. Apposition of seals on goods of succession of Joseph Moreau, which were left in charge of Jacques Ozenne and jean Merle, who have promised to produce them when so required. Signed: Merle. Ozenne. Bizoton. Henry, Clerk.

(5937)
1 p.

August 11, 1736. Petition to Mr. de Salmon by Jacques Ozenne and Jean Merle, to have seals raised from goods of deceased Joseph Moreau, which were placed in their care, as they are in the King's service and obligated to see to the stores and are therefore unable to give proper attention to these effects which might be stolen. Signed: Ozenne. Merle.

August 11, 1736. Order of Judge Salmon to communicate above petition to Procureur General of the King.

Demand of Procureur General of the King that seals be raised from goods of succession of Joseph Moreau, which are perishable. Signed: fleuriau.

(5935)

Discharge of George Tesson as testamentary executor of deceased Joseph Moreau's estate. Said Tesson has voluntarily resigned said charge and turned over all papers to Sieur d'Auseville, Attorney of Vacant Estates, who acknowledges receipt of same. Signed: D'Auseville. Henry, Notary.

Without date or number.

Note by Pierre Piquery on playing card, ten of diamonds, protesting against succession of Joseph Moreau for payment of 21 livres for nourishment furnished. This seems to be a memorandum in Hugault's script.

January 31, 1736. Acknowledgment signed for Moreau that he is indebted to "Mr. Piquery" to the amount of 70 livres.

November 27, 1736. Statement of costs for sale of effects of Moreau succession and receipt for payment of same by Hugault.

(5935) Protests against division of returns on sales made for estate of Joseph Moreau by Jacques Ozenne and Pierre Piquery. Resignation of George Tesson as testamentary executor of succession of deceased Joseph Moreau. Signed: D'Auseville. Henry, Notary. Signatures badly charred, that of Henry almost eaten away.

July 30. (5820) (1838) fo 3. 1 p. **Procuration** by Sr. Cezard De Blanc, who is about to leave for Illinois, to his wife, Dame Elizabeth Guiot, to administer his affairs, collect all debts due him, to revoke, prosecute, take action against the Company of the Indies for what it owes him; this procuration to be valid until revocation. Signed: De Blanc. Hugault. Piqurey. Henry, Notary.

(5922) (no date) **Letter** to "Monsieur Henry, Chief Clerk of the Superior Council" at New Orleans, by Mr. Pradel, sending two notes signed by Mr. De Blanc in favor of Mr. de Perier, and of Mr. Lange, asking said Henry to see that they are paid, and if necessary, that he give him power of attorney for that purpose; also informing him when his pirogue should be sent for the affair spoken of between them. Signed: Pradel. (Not dated.)

(5924) (no date) **Petition** to Monsieur Salmon, First Judge in the Superior Council, by Madam De Blanc, wife of Sr. De Blanc, Captain of a company of the Marine, for permit to sell a plantation and buildings thereon, situated between Sr. D'Auseville and Sr. Pasquier. Signed: guiot deblanc.

July 27, 1736. Permit for sale after compliance with usual formalities. Signed by Salmon.

Certificate by Sheriff ("Huissier") Hugault of having made on three consecutive Sundays the postings and notifications prescribed. Dated August 14, 1736.

(5943) (1842) fo 3. 1 p.

August 4, 1736. Procuration by Sr. Cezard De Blanc, Marine Captain in this Colony, to Elizabeth Guyot, his wife, to collect from the Treasurers of the Marine, or from their clerk in Louisiana, his salary for the years 1737, 1738, 1739, and to receipt for same, this procuration to be valid until revocation. Signed: De Blanc. Hugault. Piqurey. Henry, Notary.

July 31. (5925) (1839) fo 3.

Procuration granted by Dame Perrine Lemarié, widow of Sr. Gabriel de Morieres to Mr. Francois Fleuriau, Procureur General of the King, to withdraw from those in possession the negroes, notes, credits, merchandise and all effects remaining in Illinois after the death of Sr. Gabriel de Morieres, her son, who was killed in the war, to collect all debts due her or to prosecute when necessary. Signed: Perine Lemarie. Piqurey. Hugault. Henry, Notary.

Aug. 1. (5927) (1840) 1 p.

Acknowledgment by Louis Chauvin of his indebtedness to Pierre Gascon, for 1300 livres in specie, which he obligates himself to pay next June (1737), at New Orleans, in current specie, furnishing mortgage security for said payment. Signed: Chauvin. Piqurey. Hugault. Henry, Notary.

In body of document creditor is "Gascon," in margin the name is written Gastont.

Aug. 2. (1)

Petition to Superior Council by Chevalier De Benac, to compel Mr. Reynaud, Captain of the Ship the "St. Joseph," to take back a bale of merchandise consigned to said de Benac, which are not the goods ordered through Sr. Bourgine. He therefore prays that Renaud be cited and pay costs. Signed: Hugault (for de Benac).

Order for citation signed by Salmon.

Notice of citation before Superior Council served on Sr. Reynaud by Sheriff Hugault.

(7)

March 26, 1736. Receipt to Mr. Bourgine by Mr. Jq Raineaux for "a bale of dry goods" for account of Mr. de Benac, in New Orleans, and promise to deliver. Signed: Jq Raineaux.

(6)

April 4, 1736. Invoice of a bale of merchandise charged to account of Mr. de Benac, Captain of Infantry, at New Orleans, sent by

the ship the "St. Joseph," commanded by Captain Reignaud. Signed: Bourgine.

August 4, 1736. Excerpt from Registers of Superior Council. Judgment in suit of Sr. De Benac vs. Sr. Raynaud, Commandant of the ship the "St. Joseph," ordering Sieur Raynaud to take back a small bale of merchandise, addressed to him by Sieur Bourgine, ship chandler, owner of La Rochelle, which was damaged due to defective packing. Defendant deposited them in Registry until decision of Council. Sr. Raynaud to pay costs and to have inventory made and proces verbal drawn up, public sale of same to be made thereafter in the presence of Mr. Raguet, returns of which shall be remitted to said Bourgine commissioner. Signed: By the Council. Henry, Clerk.

August 6, 1736. Notice served by Sheriff Hugault on Sieur Reinault, Captain commanding the "St. Joseph" of La Rochelle, now in this Port, on petition of Mr. Estienne de Benac to appear this day at 7 A. M. in the Registry of the Council, where the bale of merchandise is deposited, to be present at confrontation and inventory which must be made before sale of said merchandise.

Sale of effects that came to Mr. de Benac through Sr. Reynault, Captain of the "St. Joseph," 548 livres, 15 sols. Costs incident to deposit, sale, etc., and amount to be paid to Sr. Raynault.

(4) August 6, 1736. Invoice of merchandise sent by Sr. Bourgine on the "St. Joseph" under Captain Reynaud and protest filed against Bourgine and Reynaud, for merchandise quoted as sent but not delivered. Signed: De Benac. Henry, Clerk.

(5) August 6, 1736. Statement of merchandise remitted to Registry by Mr. de Benac, which are damaged and not fit for sale and certified protest by Sr. de Benac on their condition. Signed: De Benac. Henry, Clerk of Council.

(8) March 11, 1737. Procuration granted by Sr. Charles Policarpe Bourgine, Royal Councillor, Judge of the Royal Mint of La Rochelle, and Merchant of said city, to Mr. Jean Baptiste Bancio Piemont, his clerk, whom he empowers to direct, sell and dispose of the cargo of the ship "La Reyne des Anges," which he owns,

to receive returns on merchandise and even freight thereon, to receipt and discharge as he may judge proper and to invest in merchandise all sums received from the cargo for the voyage to Louisiana; moreover, to borrow such sums as he may need and to draw on him when necessary, to recover debts due to said Bourgine. Original of this power of attorney signed by Bourgine, La Guillemont, notary royal; L. Couillard, notary.

fo 8. October 11, 1737. Jean Baptiste Bancio Piemont files procuration of Sr. Bourgine empowering him to act in his name towards his creditors. (No signature—a copy.)

October 11, 1737. Receipt to Mr. Henry, Clerk, for the sum of 497 livres, return on sale of merchandise sent on the "St. Joseph," Capt. Rayneau of La Rochelle, for account of Mr. de Benac, by J. Bancio Piemont.

Slip. Statement of costs to be paid by Captain Reinault of the "St. Joseph," covering summons to take back merchandise, petition, citation, appeal, notices, advertisement of sale, court sittings, amounting to 13 livres, for payment of which Hugault tenders receipt to Sr. Henry, Clerk of Council. Statement made on request of Mr. de Benac.

(3e) **Anonymous,** being two pages of an unfinished inquiry in which testimony of Sr. Tixerant appears countersigned by Raguet and Henry, Clerk. Seems to refer to treatment of negroes employed at La Goudronnerie, in which Mr. de St. Julien was an associate.

Aug. 8. 1½ pp. **Procuration** by Dame Catherine Mouton, widow of Antoine Bonvilain, who was killed in the Chickassaw campaign, to Sr. Amyault D'Auseville, Attorney of Vacant Estates, to settle estate of said Antoine Bonvilain. Signed: Piqurey. Hugault. Henry, notary.

fo. 3. (5946) (1844) 1½ pp. **Procuration** by Sr. Raymond Amyault D'Auseville to Monsieur de La Loyre Flaucourt, Chief Clerk and Judge in Illinois, to act in his name in all proceedings necessary to settle all Illinois claims of succession of deceased Antoine Bonvilain, husband of Catherine Mouton, whose procuration Sr. D'Auseville holds for

Lower Louisiana. Signed: Amyault D'Auseville. Piqurey. Hugault, Henry, notary.
(Document in bad condition.)

Aug. 9.
(5948)
(1845)
fo 3.
1½ pp.

Acknowledgment by Sr. Henry Saucier in his own name and acting for Jean Baptiste Vifvareme and for Jean Baptiste Saucier by procuration and for his minor brothers as their curator, that they are indebted to the Company of the Indies to the sum of 9858 livres, 7 sols, 3 deniers, for slaves advanced to their deceased mother, Gabrielle Savary, which they obligate themselves to pay within five years, stipulating for mortgage solidarily on all their goods and particularly on said slaves. Signed: Saucier. f Saucier. Vifvareme. Prevost. JB Faucon Dumanoir. Hugault. Henry, notary. Approved by Mr. Salmon, Commissioner of the Marine, Ordonnateur in New Orleans.

(6008)
(1860)
fo 3.
4 pp.

August 18, 1736. Agreement between Srs. Henry and Francois Saucier, sons of deceased Jean Baptiste Saucier and Gabrielle Savary, and Jean Baptiste Vifvareme, son of Gabrielle Savary, and her second husband, Pierre Vifvareme, also deceased. Henry Saucier holding procuration of his brother, Jean Baptiste Saucier, and acting as curator of Francois and Jean Baptiste Vifvareme, minor half-brothers, to avoid long procedures and to keep peace in the family, have produced inventory taken at time of their mother's death, in charge of their curator ad hoc, with account rendered by him. They have agreed to sell all movables to pay debts of said estate and four of the brothers have obligated themselves to pay what is due to the Company of the Indies in five years, in five equal payments and afterwards to make a general division of house, lot and slaves.

Four equal shares were made with the consent of all heirs, in the presence of Sieur Louis Tiserant, Sieur Amyot, Nicolas Brantan, their former tutor; four small pieces of paper of equal size were rolled which contained the "contents of each share," and after having mixed them in a hat, it was agreed that Jean Baptiste Vifvareme, as the youngest, would draw for himself and the other heirs. The first lot fell to Sr. Henry Saucier and was immediately delivered to him. The second fell

to the said Vifvareme, the third to Jean Baptiste Saucier, and the fourth, comprising a lot and house in this City with all improvements, a negro, aged 13 years, a negress of 7 years, fell to Francois Saucier, a minor. His share may therefore serve for his support but he will not be able to sell nor alienate anything whatsoever until he shall have attained his full majority. They each obligate themselves to furnish equal shares of the payments to be made to the Company. Signed: h. Saucié. Brantan. Tixerant. Vifvareme. Piqurey. f Saucier. Hugault. Henry, notary. (Document in good condition.)

Aug. 10. (5950) (1846) fo 3

Procuration by Sr. Pierre Du Coder, Second Ensign in the Marine Troops of this Colony, to Sr. Gerard Pery, merchant of New Orleans, to collect his salary from the Marine Office during the course of the next year and to receipt for same. Signed: Ducodere. Hugault. Piqurey. Henry, notary.

Aug. 10. (5951) (1847) fo 3. 1½ pp.

Acknowledgment by Nicolas Adam, called Blondin, of his indebtedness to the Company of the Indies to the amount of 5463 livres, 15 sols, 6 deniers, for merchandise and slaves furnished him to begin his establishment, which debt he obligates himself to pay to Sieurs Dumanoir and Prevost, Agents of the Company, in five equal yearly payments, stipulating mortgage security. Signed: Nicolas adam. Prevost. JB Faucon Dumanoir. Bimont. Hugault. Henry, notary. Approved by Salmon.

Aug. 11. (5953) (1848) fo 3. 4 pp.

Nuncupative Will of Sr. Calixte Descairac, made on plantation near Sr. Coustilhas. Signed: Calixte Descairac. Dreux, witness. Malon. Henry, notary. Will was made in the presence of Sr. Pierre Dreux, his neighbor.

Aug. 12. (5959) 1½ pp.

Petition to Ordonnateur Salmon by Bernard Alexandre Viel, surgeon, for permit to sell a house and lots in this City in order to settle with Company of the Indies for slaves bought during community with his first wife, Seruane Perinne le Blanc, as it is more advantageous to him and his child to cultivate his plantation than to preserve the house in question, which

brings no revenue, wherefore he asks that a family meeting be convened to give opinion thereon. Signed: Alexandre.

Order by Judge Salmon to convene relatives for deliberation.

(5957)
(1849)
3½ pp.

Proces verbal of meeting convened on request of Sieur Bernard Alexandre Viel, tutor of his minor son, Francois Viel, issue of his first wife, Miss Seruanne Perine Laurence Le Blanc. Homologation of opinion of relatives in favor of said sale on conditions stated. Signed: Alexandre. fleuriau. Lafreniere. Raguet. Broutin. fazende. Du Breuil. Barbin. Salmon. (First page badly charred.)

Aug. 13.
(5964)
(1851)
fo 3.
6 pp.

Marriage Contract of Sieur Pierre Filard, former ship captain for the Company of the Indies, Commander of the King's ship "La Louisiane," son of Pierre Filard and Dame Marianne Caboche, a native of Nanteuil, Bishopric of Soissons, on one side, and Demoiselle Marie Francoise Denis de Bonaventure et de Dame Francoise Lefevre, a native of "Tecnissas," in the province of Louisiana, a minor, her mother, the said Dame de Bonaventure, now married to Sr. Petit, called St. Joseph, both stipulating for the bride. Signed: fillart. Marifrancoise denis de Bonaventure. francoise Lefblve. Bienville. Salmon. mergery Salmon. noyan. faucon noyan. Amyault D'auseville. De Gauvrit. Marie Du Breuil. P. Voisin. G. amelot. Bizoton. Malo bizoton. Piqurey. Hugault. Henry, notary.

Aug. 13.
(5963)
(1850)
1 p.

Receipt by Guillaume Liberge to Mr. Prevost, for 1680 livres, in payment of pelts delivered to Mr. de Macarty when he left for France. He gives this receipt to Mr. Prevost as Sr. de Macarty has not yet paid his share of the pelts. Signed: Piqurey. Hugault. Henry, notary.

Aug. 14.
(5973)
(1834)
2 pp.

Contract between Sr. St. George St. Lo, Master of the King's boats, door-keeper of the King's prisons, and Sr. Le Quintrek, said Saint Lo transferring to Le Quintrek all pretensions he may have on successions of his father and mother, wherefore he has granted him a general procuration on these claims up to the sum of sixteen to eighteen thousand livres, in com-

pensation for the services St. Lo received from him, stipulating that if returns of these successions do not reach that sum, Le Quintrek will in proportion deduct the difference from the 4000 livres which he is to pay St. Lo, and if they exceed that sum he will turn over the surplus to St. Lo. Both agree to charge nothing in this agreement. Signed: JeorJe St Lo. le quintrek. Piqurey. Hugault. Henry, notary.

(5975)
1 p.

August 14, 1736. Procuration by George St. Lo, son of George St. Lo and Gillette Fougere, a native of St. Servan Burg, and Bishopric of St. Malo, to . . (blank) . . empowering him to take all necessary steps to collect what may come to constituant on successions of his father and mother. Signed: JeorJe St Lo. Piqurey. Hugault. Henry, notary.

Aug. 14.
(5971)
(1873)
fo 3.
1½ pp.

Contract for Flour, between Ordonnateur Salmon, acting for the King, and Sieurs Louis Langlois, Jean Guillon and Dulude, journeymen of Illinois, to furnish 70,000 pounds of flour to the King's stores: Guillon to provide 50,000, Langlois 15,000, and Dulude 5000, at the rate of 12½ (livres) per 100 pounds, payable in kind or in specie, which they may send as property of the King, said Guillon, Langlois and Dulude stipulating mortgage security for said delivery. Signed: Salmon. f. Gallot. DE Troyes. guillon. Louis Langlois. Henry, notary. (Text reads "douze et demy pour cent.")

Aug. 14.
(5970)
(1852)
1 p.

Lease for three years, by Sr. Louis Joseph Bizoton, Commissioner of the Marine, to Sieur Louis Du Breuil Vilars, the father, of the whole lower floor of his new house, half of the cellars and kitchen, Sr. Du Breuil obligating himself to make all necessary repairs, the amount to be paid for said lease to be 100 livres per year, payable at the expiration of each term. Signed: Du Breuil. Hugault. Piqurey. Bizoton. Henry, notary.

Aug. 16.
(5644)
(1784)
1½ pp.

Judicial Sale of a Negro owned by succession of deceased Claude Chardon and also of a negress belonging to the Duchene succession. Signed: D'auseville. Raguet. Henry, notary.

Aug. 18. (6012) (1861) fo 3. 1½ pp.

Substitution of Procuration by Sr. Francois Fleuriau to . . (blank) . . by virtue of the procuration granted him last July 30th by Dame Perine Le Marié, empowering said . . . . to collect all debts and recover all slaves remaining in Illinois after death of his brother-in-law, Gabriel Demorieres, Cadet in the troops, killed in battle; and to prosecute those who will not pay until final judgment. Signed: fleuriau. Hugault. Piqurey. Henry, notary.

Note.—The decedent was Fleuriau's brother-in-law.

(6036) (1874) 1 p.

August 26, 1736. Approval and ratification by Dame Perine Lamarié, Widow Demorieres, of all transactions of Mr. Francois Fleuriau, Procureur General of the King, (Procureur General du Roy), done in her service concerning debts due her by successions of deceased Sieurs La Croix Le Blanc and Rossard. Signed: Perine Lemarié. Henry, notary.

Aug. 18. (6006) (1859) 2 pp.

Receipt by Dame Marie Therese Trudeau, wife of Sieur Alphonse de la Buissonniere, Captain, commanding at Illinois, to her father, Sr. Francois Trudeau, for her dowry, amounting to 6493 livres, 16 sols, 4 deniers. Signed: marie therese trudeau. Piqurey. Hugault. Henry, notary.

(6007)

Detailed statement of slaves given by Mr. Trudeau at time of marriage of his daughter, Marie Therese Trudeau, to Mr. de La Buissonnaire, as per agreement; total: 6059 livres, 65 sols, 45 deniers.

Aug. 19. (6014) (1862) 1½ pp.

Acknowledgment by Mr. Michel Honore de Beaujacque, Ensign in the Marine Troops, that he owes Sr. Nicolas Valable, Captain of the "Marguerite," the sum of 931 livres, which he obligates himself to pay at the residence of Sr. Du Breuil on the 19th of March, 1737, in pelts, good merchandise; deer skins, as well as beaver pelts, and for security of said payment he hypothecates all his movables and immovables. Signed: Beaujacque. Hugault. Valable. Piqurey. Henry, notary.

Aug. 20. (6016) (1863) fo 3 1½ pp.

Acknowledgment of indebtedness by Sr. Augustine Langlois, to Sr. J-B. Faucon Dumanoir, Agent of the Company of the Indies, to the amount of 7559 livres, 10 sols, for negroes and merchandise furnished by said Company,

which he obligates himself to pay to Sr. Dumanoir or any other person named by the Company, in five years, in five equal payments, and stipulates mortgage security for same. Signed: Hugault. Piqurey. JB. Faucon Dumanoir. Henry, notary. Seen by Commissioner for the Affairs of the Company of the Indies. Signed: Salmon.

Aug. 20. (6021) fo 3. (1866) 2 pp.

Acknowledgment by Jean Guillon, of his indebtedness to the Company of the Indies, Mr. JB. Faucon Dumanoir, its agent here present, for the sum of 700 livres, in current specie, for a negro bought from Jean Labé, settler at Bustard Creek, which debt he promises to pay on March 20, 1737, and for security of said debt he hypothecates all his movables and immovables, particularly the said slave. Signed: guillon. Piqurey. Hugault. Henry, notary.

(6022)

June 25, 1740. Receipt to Jean Labbé for 700 livres, the price of a negro he sold to Jean Guillon, which was part of the 5845 for which said Labé was indebted to the Company. This receipt discharges Guillon from what is due by Labé on said slave, on date of June 29, 1740. Signed: JB. Faucon Dumanoir.

Aug. 20. (6030) fo 3 (1870) 1 p.

Acknowledgment by Augustin Langlois that he has received from Pierre Morin, merchant of New Orleans, the sum of 216 livres, 15 sols, in merchandise, which he obligates himself to pay in seven months, March 21, 1737, stipulating mortgage security for same. Signed: Morin. Piqurey. Hugault. Henry, notary.

Aug. 20. (6020) (1865) fo 3 1 p.

Agreement between a free negro, called Scipion, residing in New Orleans, and Sr. Francois Trudeau, beginning on the 15th of the present month and ending August 15th, 1737, said negro hiring himself to go to Illinois in Madame Labuissonniere's boat as rower, or in any other capacity as need may be, and on return from this trip he is to serve Sr. Trudeau until time of agreement has expired, for 200 livres paid to him in proportion to his needs as agreed. Signed: Piqurey. Trudeau. Hugault. Henry, notary.

Aug. 20.
(6018)
(1804)
fo 3.
1½ pp.

Acknowledgment by Thomas and Jean Chauvin, heirs of Jacques Chauvin, their brother, killed in the war against the Chickassaws, of indebtedness to the Company of the Indies to the sum of 1000 livres for a negro (piece d'Inde), advanced to their late brother by the Company, for whom Jean and Thomas obligate themselves solidarily to pay in two years by two equal payments. Signed: thomas chauvin. Hugault. Piqurey. Henry, notary.

Aug. 20.
(6023)
(1867)
2 pp.
Copy.
(6025)
fo 3.
1 p.

Acknowledgement by Sr. Guillaume Liberge that he owes Sr. Pierre Morin the sum of 507 livres, 2 sols, for merchandise delivered which he obligates himself to pay in seven months, March 20, 1737, in specie or otherwise and for security of said payment he hypothecates his movables and immovables. Signed: Henry, notary.

August 20, 1736. Original of Preceding copy signed by Morin. Piquery. Hugault. Henry, notary.

Aug. 20.
(6026)
fo 3.
(1868)
1½ pp.

Acknowledgment by Louis Langlois of his indebtedness to the Company of the Indies to the sum of 5629 livres for negroes and merchandise advanced for his establishment, which he obligates himself to pay to Sr. Dumanoir or to any person appointed by the Company in five yearly payments for security of which he hypothecates all his movables and immovables. Signed: Louis• Langlois. Hugault. JB. Faucon Dumanoir. Henry, notary.

(6027)

Approved by the Commissioner for the affairs of the Company, on the aforesaid day, month and year. Signed: Salmon.

Aug. 21.
(6031)
fo 3.
(1871)
1 p.

Lease by Mr. Tixerant of two negroes called Jacques and Petit Jean, to Mr. Bouche, Ecuyer Sieur de Monbrun, to make the journey to Illinois as rowers, stipulating that if the negroes are killed the loss will be on Mr. de Monbrun, the lessee being responsible only for their natural death. Promise to return the negroes to house of Mr. Tixerant on Mr. de Benac's return, promising to bring them down in his boat, the said lease for 3000 pounds of Illinois flour, which Mr. Monbrun promises to send by said boat, for security of which he hypothe-

cates his movables and immovables, present and to come. Signed: P Laurant Monbrun. Piqurey. Hugault. Henry, notary.

Aug. 21. (6032) fo 3. (1872) 1½ pp.

Donation by Pierre Garçon, called L'Eveillé, to his stepdaughter, Jeanne Rousseau, in recognition of her kind services and those of her mother, Marie Genty, Widow Rousseau, now wife of said Garçon. The donation amounts to 1300 livres, due to him by Sr. Louis Chauvin, who has signed note for same. This donation is to be collected by Jeanne Rousseau only in case of his death; . . . . enumeration of conditions attached to above donation. Signed: pier Garsont. Piqurey. Hugault. Henry, notary.

Aug. 23. (6034) fo 3. (1873) 1½ pp.

Declaration in Registry by Gilbert Dumas, called L'Empileur, that he hired a negro named Pierrot to Mr. de Pontalba last July, to help him move from Madam Pellerin's and to cook for him. Later Pontalba asked Dumas if he would sell him the negro whom he would bring to France. Dumas consented to sell Pierrot for 1500 livres in order to liquidate with the Company and a quarter of brandy. Mr. de Pontalba offered 1200 livres and the brandy. Six or seven days ago Pontalba embarked with the slave to deliver brandy and merchandise at Pointe Coupée. Dumas is now surprised to hear that his slave had drowned while in Pontalba's service, but the news was confirmed by Father Philippe, who held it from Mr. D'Arensbourg, who wrote of it from the German Village. He had hired his slave for a month and this time has expired, and he expects Mr. de Pontalba to pay 1500 livres for him as he had asked. .The slave's work brought the owner 400 livres per year. Signed: Dumas. Countersigned: Henry, Clerk.

(6094) fo 4. (1894) 1 p.

September 23, 1736. Declaration in Registry of Superior Council by Sr. Delfau de Pontalba, officer in the troops detached from the Marine, that he left New Orleans on the 19th of last August to go to Pointe Coupée with Pierrot, a negro, whom he had hired from Sr. Lempileur since the 19th of last July at 20 livres per month. That in the night of the 19th to the 20th, whilst tied up at Pugeol's landing, he left the pirogue and the negro also

wished to retire. Early on the morrow the master (patron) of the boat called for help and he was surprised to hear that the negro had falled overboard without trying to swim, for Pierrot was a good swimmer, and the "Patron" said to him: "That negro must have had an epileptic fit to which he was subject." The master called for help and every effort was made to rescue him without avail. All of which he has requested to be filed in Registry. Signed: Pontalba. Henry, Clerk.

Aug. 26. (6036) (1874) 1 p.

Ratification by Dame Perine Lemarié, Widow Demorieres, of all transactions made by Sr. Francois Fleuriau, on her request, concerning sum due to her by estate of Sr. La Croix Le Blanc, proceedings against Rossard estate, declaring that Sr. Fleuriau has rendered good account of this affair and discharging him. Signed: perine Lemarié. Henry, notary.

Aug. 27. (6037) (1875) fo 3. 4 pp.

Marriage Contract of Pierre Trudet, called La Forest, innkeeper of New Orleans, son of deceased Denis Trudet and Jeanneton La Font, from the Parish of St. Jean in Lorraine, on one side, and Louise Francoise Savary, widow of Martin Godard and of Barthelmy Madere, who died in this City, on the other side; both parties agreeing to marriage contract drawn up before Henry, Notary Royal and Clerk of Council. Signed: N. Valable. piquery. Hugault. Brantan. Henry, Ntry. (Document charred.)

Aug. 27. (6041) fo 3. (1876) 1 p.

Report Filed in Registry of Superior Council by Sr. Nicolas Valable, Captain of the boat "La Marguerite," that he is leaving New Orleans for Mobile for the purpose of prosecuting Sr. Olivier Philipe, Sr. Prevost and Sr. Boisdore for payment of 2800 livres due by Olivier, 600 livres by Prevost, and 550 livres by Boisdore, declaring that no other business prolongs his stay here, that he is ready to sail for France but will remain in Mobile until full payment of above debts, costs on whom it shall appertain, requesting that act be passed of above declaration. Signed: N. Valable. Henry, notary.

Aug. 28. (6042) fo 3. (1877) 1⅓ pp.

Procuration by Pierre Ricard, son of Joseph Ricard and Marie Bayle, both deceased, to . . (blank) . . empowering him to take all necessary steps to settle succession of said Joseph Ricard. Signed: Ricard. Piqurey. Hugault. Henry, notary.

Aug. 29. (6047) (1880) fo 3. 1 p.

Report Filed in Registry of Superior Council by Sr. Jean Prat, Physician of the King, of theft of a gun and several other effects stolen from his plantation at Chantilly by a runaway negro owned by Madam Douville, midwife of this City. The thief was stopped by Mr. Morand's negro and brought to jail. Sr. Prat asks that he be punished and that Madam Douville pay for what he stole. Signed: Prat. Henry, Clerk.

Aug. 30. (6050) (1882) fo 3.

Report in Registry by Sr. Francois Livet, planter near New Orleans, descending the river, that one of his slaves who ran away nine months ago was captured by one of Mr. Fillart's slaves called Raphael, who at the slave Pierrot's request loosened the cord around his elbows, whereupon Pierrot ran away again, and since then has been continually stealing from said Livet's plantation, wherefore he denounces him to the Procureur General of the King that justice may be meted out to him. Signed: Livet. Certified by Henry, Clerk of Superior Council.

Aug. 31. (6051) fo 3. (1883)

Procuration by Sr. Louis Joseph Bizoton, Comptroller of the Marine in Louisiana, residing at New Orleans, to his sister, Miss Elizabeth Bizoton de la Jonchère, residing in Paris, empowering her by these presents to collect all arrears due or to fall due, all annuities or perpetual pensions on the Aids and Gabel, talliage and other revenues from the King or individuals, due to him or to be due hereafter, and all salaries due or to fall due, and particularly that coming from his charge as Comptroller of the Marine in this province of Louisiana, to receipt therefor, and for what may accrue to him as part heir of his deceased mother, to prosecute and seize and to administer his affairs in France, allowing her to extend these powers to another person when necessary. Signed: Bizoton. f. Gallot.

Sept. 2.
(6056)
(1885)
1 p.

Report in Registry of runaway negro, by Sieur Jacques Roquigny, declaring that five years ago he owned a negro called Rencontre who had lost the little toe of one of his feet, the said negro ran away from his plantation below the Chatouachas and he heard of him only through the first year thereafter. He makes this declaration that justice may be done in case of his capture. Signed: Roquigny. Henry, Clerk.

Sept. 2.
fo 4.
(6055)
(1884)

Declaration in Registry of runaway negro, by Sieur Lange, Administrator of Mr. Perier's plantation, that a negro named Pierrot ran away from the plantation about four years ago. The said negro was aged about 27 or 28 years. Mr. Perier bought him from Mr. de Manadé and he bears Mr. Perier's brand near the right breast. He makes this declaration to serve as need may be and requests certification of same. Signed: Lange. Henry, Clerk.

Sept. 6.
(6057)
fo 4.
(1886)
1 p.

Report in Registry by Sieur Joseph Chaperon of the death of Marguerite Francoise Le Coq, widow of Joseph Larche, who died at his house leaving nothing but the clothes that he gave her. He has had her and her child to support since last December, for the sum of 150 livres per year; that he intends to keep the child, but will apply to the Court for his subsistence. Signed: Henry, Clerk.

Sept. 7.
(6077)

Succession of Sr. Pierre De St. Jullien: Petition to Mr. Salmon, Commissioner of the Marine, Intendant (Ordonnateur) and First Judge in this Province, by Mr. Fleuriau, Procureur General of the King, who has been informed of death of Sr. de Sainct Jullien, Captain of Infantry, for affixing seals to his effects, as he leaves slaves, cattle, had a partnership in a manufacture of tar, and many debts. He has no heirs in this Colony and Fleuriau prays that seals be affixed in the presence of the Agent of the Company of the Indies, of the Attorney of Vacant Estates, and of all other pretendants for the protection of the rights of those concerned. Signed: fleuriau.

(6077)

September 7. Order to affix seals to effects of succession of deceased Sr. De St. Jullien, by Mr. Salmon, who delegates for that purpose

Mr. Bizoton, in the presence of the Agents of the Company of the Indies and of the Attorney of Vacant Estates.

(6074) 3 pp. September 7. Visit to residence of Mr. Aufrere, where Pierré de St. Jullien, associate of said Aufrere died this night at 1:30 A. M., in order to affix seals on goods of said deceased. Mr. Aufrere declared that there were no movables subject to be sealed, that if he had any they were at the tar manufactory. All that was found was an old coat and two old shirts, neither gun, sword nor hunting knife, the one he usually wore at his side being borrowed. All that was found at Sr. Aufrere's for him was a lot of old iron, about 200 pounds, not fit for use; an old pair of tongs, shovel, a spit and a few other tools, a few negro slaves. One of his negresses declared that he had some cattle at Natchitoches; he had a plantation at Cannes Bruslées, that his papers are in a chest "on the other side of the Lake," etc. Signed: fleuriau. D'auseville. Hugault. Bizoton. Aufrere. Henry, Clerk.

(6058) fo 4. (1887) 14 pp. September 9. Inventory and appraisement of goods of deceased Sr. Charles de St. Pierre de St. Jullien, in partnership with Sr. Aufrere, in a tar factory, (goudronnerie), and those on his plantation. Inventory of household linen, wearing apparel, utensils, tools, crockery, papers, slaves, cattle there and at Nachitoches, baskets, carts. Signed: fleuriau. Aufrere. D'auseville. Hugault. Bizoton. Henry, Clerk.

(6082) September 19. Petition to Superior Council by Sr. D'auseville, Attorney of Vacant Estates, praying for order for judicial sale of goods of succession of deceased Sr. St. Jullien to avoid storage and damage to goods that were inventoried and appraised in petitioner's presence. Signed: D'auseville. Permit to post signed by Salmon.

(6085) September 30, 1736. Notice of sale by auction of furniture and effects of deceased Sr. de St. Jullien, officer of the troops, on petition of Mr. D'auseville, Attorney of Vacant Estates. "Read, published and posted" by Hugault, the huissier.

(6078) 4 pp. October 1. Auction sale of effects of succession of deceased Sr. Charles de St. Pierre de St. Jullien. Signed: D'auseville. fleuriau. Hugault. Henry, notary.

(6070) October 4. Protest filed in Registry by Sr. Joseph Aubert, Surgeon at the Hospital of the King in New Orleans, against sale or delivery of returns of succession of Sieur Charles de St. Jullien until payment of 96 livres, 12 sols, for medicine furnished to his slaves in July and September last, and he requested that his protest be certified. Signed: Jh Aubert.

(6071) October 5. Protest filed by Sr. Gerard Pery against sale or delivery of goods of succession of deceased Mr. de St. Jullien until payment of 100 livres due on a note of last June signed by deceased. Signed: G. Pery. Henry, Clerk.

(6071) December 7. Protest filed by Sr. Antoine Aufrere against sale or delivery of goods of his deceased associate, Sr. de St. Jullien, declaring that he owes him several considerable sums which he will prove on rendering his accounts, and moreover, the sum of 1386 livres on seven notes signed by said St. Jullien (dates given). Signed: Aufrere.

(6083) February 22, 1730. Receipt signed by St. Jullien for soap from Le Buisson Concession in return (en remplacement).

(6072) Dated 1722-1723. Closed and receipted account between Mr. Dreux and Mr. de St. Jullien.

Sept. 15. (6087) (1889) fo 4. **Acknowledgment of Indebtedness** to the Company of the Indies by Mr. Charles de Morand and Dame Anne Hays, his wife, to the sum of 15,314 livres, 15 sols, 4 deniers, for negroes and merchandise advanced to them to form their establishment in this Colony as per account closed on the 30th of last August, which sum they obligate themselves solidarily to pay to Sr. Dumanoir or any other person appointed by the Company, within five years, in five equal payments, at stipulated dates, stipulating for mortgage for same. Signed: DE Morand. anne hays demorand. JB Faucon Dumanoir. Bimont.

(6088) Approval by Commissioner "Ordonnateur" and Commissioner appointed to see to the affairs of the Company. (Commiss^{re} Ord^{eur} et Commissaire nommé, etc.) Signed: Salmon.

Sept. 17. (6089) (1890)

Declaration in Registry of the Superior Council upon runaway negro, by Sr. Francois Chastang, Inspector of "Concession of Dasfeld and Company," that one of his negroes belonging to the Chatouachas Concession, named Sandigue, has run away since eight days, information given by Sr. Raujot, Director of said Concession. Signed: Chastang. Henry, Clerk of Council.

Sept. 18. fo 4. (6090) (1891) Original Document.

Declaration in Registry, regarding runaway negress, made by Sr. Jacques Larchevesque. He reports arrival at his plantation at Cannes Bruslées of a negress owned by his deceased brother, Joseph Larche, given to Sr. Chaperon to care for his widow and child. The negress said that she could not return to Chaperon as she would die, assuring him that she did nothing but cook for the negroes, that she was cruelly treated without cause. Before coming to Sr. Jacques Larchevesque she went to the RR. Jesuit Fathers who hired the slaves of the estate of the late Larche, her master, but they would not take her without telling Sr. Chaperon, and fearing said Chaperon's fury she came to her master's brother who could hire her to another and have the proof that she was not ill disposed and would give satisfaction; on his own place he had an example of the treatment of slaves by those who were not their real masters in the case of the negress dying of the treatment she was subjected to at Sr. St. Jullien's tar factory. He demanded certification of the foregoing and signed: Larche. Henry, Clerk.

(6091) (1892)

September 18. Declaration made in Registry of Superior Council by Sr. Jacques Larchevesque, exact repetition of the foregoing (6090), signed only by Henry, Clerk.

(6095) fo 4. (1895)

September 29. Declaration in Registry of Superior Council by Louise Le Coq, wife of Joseph Chaperon, acting for her husband, who is on his plantation, to the effect that one Maria, who was placed with her to take care of her minor child, left her house on the 15th inst., leaving the house in care of two small negroes, and after inquiries she found that she had gone to Sieur Jacques Larche, who, to all

appearances, influenced her to desert her post. Foregoing declaration certified. Signed: Louise Le Coq. Henry, Clerk.

Oct. 2. (6102) (1897) **Contract for Rum and Coffee,** passed between Jacques Ozenne and Mr. De Salmon, with consent of Mr. Bizoton, Comptroller of the Marine, said Ozenne obligating himself to furnish to the King's stores three barrels of rum and 100 pounds of coffee at 20 sols per pound, to be paid on delivery with deduction of the tax for the Invalids of the Marine, Ozenne furnishing mortgage security for delivery of same. Signed: Ozenne. Salmon. f. Gallot. Le Vasseur. Henry, notary.

Oct. 3. fo 4. (6108) (1899) **Declaration in Registry** by Sr. Nicolas Vatable, merchant and captain of the boat "La Marguerite," of his intention of sailing for France, there being naught to prevent his so doing but the summons served on him at Sr. Balcour's request concerning merchandise amounting to 1733 livres, which sum he affirms was paid to him by Sr. Balcour and not by Sr. Lafreniere. This declaration relieves him from appearing later, as the affair now rests between Sieurs Balcour and Lafreniere. He believes that this affair was intended to delay his departure and thereby cause him loss and he demands that act be passed of the foregoing. Signed: N Vatable. Henry, Clerk.

Oct. 4. (6110) (1900) 13 pp. **Marriage Contract** of Sieur Jean Francois Huchet, Ecuyer Sieur de Kernion, a native of Kemper Corentin, Parish of St. Mathieu, Bishopric of Cernouaille (Kernouaille), son of deceased Pierre Guillaume Huchet Ecuyer and of deceased Dame Thomase Renée Guidor, on the one side, and Dame Jeanne Antoinette de Mirbaise de Villemont, widow of deceased Sr. Antoine Rivard, a minor, Dame Antoinette Fourrier, formerly Widow de Villemont, and afterwards of deceased Sr. Antoine Rivard, stipulating for the minor widow. Signed: J De Kxnion huchet. Jeanne Antoinette devillemont veuve de Rivard. veuve rivard. francoise de villemont. malbec de Livilliers. d'hauterive. fleuriau. Neveux Bellairs. lafreniere. Delery ca. Bellair. helene Fazende. Du

Breuil. De Lery. Leblanc delery. Joseph Rivard. Salmon. mergery salmon. j faucon de noyan. Raguet. Piqurey. noyan. Hugault. Henry, notary.

(6123) July 16, 1742. Discharge to Widow Rivard, his mother-in-law, by Sr. Jean Francois Huchet de Kernion, for slaves turned over to Antoine Rivard, first husband of Madame Kernion, for what might come to her from succession of Sr. de Villemont. Signed: hushet De Kxnion. Jeanne de Kxnion.

(6114) October 3, 1736. Inventory and appraise-
3 pp. ment of goods left by Sr. Antoine Rivard, junior, at the time of his death, September 27, 1735. The undersigned went to the Bayou St. John on request of Dame Antoinette Fourrier, Widow Rivard, to be present at the inventory of slaves, cattle and lots and listing of debts due by said succession and those due to it. Signed: j De Kxnion hushet. La veuve rivard. Du Breuil. fleuriau. M. Dreux. Henry, No^re^.

(6122) October 3, 1736. Inventory of goods owned by Sr. de Kernion, which he intends to add to community with Jeanne Antoinette de Villemont, Widow Rivard. It includes slaves and furniture. Signed: La veuve rivard. de Kxnion husher. Henry No^re^.

(6116) December 7, 1736. Account rendered by Dame Rivard to Sieur de Kernion after decease of Sr. Rivard in September, 1735. Amicable understanding between Dame Rivard, the mother, and Sr. de Kernion, recognizing her indebtedness to him for 100 livres and his indebtedness to her for 67 livres, 7 sols, 7 deniers, which closes their account.

(6117) October 3, 1736. Statement of debts of the succession of Sieur Rivard, junior, on debit side, mostly wearing apparel for Madame Rivard, his wife, amounting to 202 livres, 10 sols. Signed: La veuve rivard.

(6118) Statement of provisions bought by Madame Rivard for the house and for the negroes from September 28, 1735, to October, 1736. She affirms that this statement is a true one, amounting to 328 livres, 10 sols. Dated Nov. 25 (?) 1736. Signed: La veuve rivard.

(6119) Account rendered by Madam Antoinette
(611(.) Fourrier, widow of Antoine Rivard, senior: returns for rents . . . 536 livres, 13 sols, 9 de-

niers. Other expenses amounting to 671 livres, 18 sols. Mr. de Kernion owes half of amount: 135 livres, 4 sols, 11 deniers, amounting to 67 livres, 12 sols, 5 deniers. Madam Rivard, the mother, promises and obligates herself to pay and indemnify Mr. Kernion for all demands for charges carried in said account, closed in New Orleans December 7, 1736. Signed: La veuve rivard. . . . De Kxnion hushet. Henry, No^re^.

Oct. 6. (6130) fo 4. (1903) 1 p.

Complaint in Registry of Superior Council by Sr. Paul Balcour, of insults and abuse offered him by Sr. Lafreniere, whose charge of Councillor gives him no right to inflict such treatment, he declares that he intends to have him cited before the Council to obtain reparation of said insults and demanded that act be passed of the foregoing declaration. Signed: Balcour. Henry, ntry.

Oct. 6. (6125) (1901) 4 pp.

Procuration before Notaries Royal of Brest, in Lower Brittany, by Sr. Estienne De Perier, (Note.—This is Ex-Governor Perier of Louisiana), Captain of the King's frigate, Knight of the Royal and Military Order of St. Louis, and Dame Catherine Le Chibelier, his wife, residing in this city, Rue du Chateau, to Mr. Louis Ferdinand de Kxsalguen, Chevalier de Querlorec, Lieutenant of the King's ships, to sell, transfer, etc., a plantation situated in New Orleans, to M. Pradel, former Captain of Infantry and to Sr. Guillaume Lange, and the negroes, negresses and young negroes, those purchased as well as the *"Creoles of the said plantation,"* also the horned cattle, sheep and horses, according to their appraisement made this year by Sr. Du Breuil, the whole to be sold for the sum of 85,000 livres, payable at the domicile of said vendors at Brest in six payments as enumerated and on conditions mentioned. A collated copy of said power of attorney furnished on the 10th day of October, 1736, the original bearing signatures of de Perier, Catherine Le Chibelier de Perier, Le Coat, Notary Royal Labbé, another Notary Royal and Registrar. Signed: Lecoat, Ntry royal. Labbé, Ntry royal.

Certificate of authenticity of above procuration by Louis Herue de Kxsauzon, dated October 8, 1736.

Oct. 8. (6169) fo 4. (1812) **Acknowledgement** by Guillaume Bousquerat, in Registry, of having received from Nicolas Rousseau, the sum of 2000 livres for two negroes. Signed: Henry, Clerk.

Oct. 13. (7821) fo 5. 8 pp. **Succession of Bernard Lasere:** Petition to Mr. Salmon, Commissaire Ordonnateur de la Marine, and First Judge in Superior Council of the Province of Louisiana, by Reinault, Captain of the ship the "St. Joseph," of la Rochelle, for permit to sell clothes and effects belonging to late Bernard La Sevre (Lasere?), who died on board his ship, so that he may render account to his heirs. Signed: Hugault, Sheriff, for Sr. Reinault.

October 13, 1736. Permission for sale by complying with formalities prescribed. Signed: Salmon.

October 14, 1736. Notice of sale read by Sheriff Hugault before the "principal door of the Parish Church," and posted as usual, said sale of effects of Bernard Lasere to take place

(7822) on October 16, on petition of Sr. Jacques Reinault. Detailed list of effects, price of adjudications and names of buyers follows, which is certified as correct by Hugault. Signed by Boyau. Piqurey.

(7832) January 25, 1737. Deposit in Registry by Sr. Jacques Raynaux, Captain of the ship the "St. Joseph," of the sum of 813 livres, 15 sols, which he affirms to be proceeds of sale of effects of deceased Lieutenant Bernard Lasere, as it is impossible to obtain letters of exchange on the General Treasurers of the Marine, said sum to remain as a deposit until information of Lasere's death be given to relatives and such measures be taken as will be necessary to collect said sum in France, after deduction of costs, of which said Rainaux demands a certificate. Signed: Jq Raineaux. Henry, Clerk.

(7843) February 28, 1737. Petition to the Lieutenant and Judge of the Admiralty of La Rochelle by Jean Levasseur, who affirms that he is a creditor of Bernard Lasere who died aboard

the ship the "St. Joseph," to allow seizure of all that may belong to said Lasserre, in payment of note dated March 18, 1736.

March 31, 1737. Notice served and copy of above petition left with Sr. Jacques Reynault, resident of La Rochelle, who has charge of the succession of deceased Bernard Lassere, who died on board of his ship the "St. Joseph." Signed: Desbois, Ntry.

(7844) May 16, 1737. This slip is written on both sides in minute script and is so badly charred, with parts entirely missing, as to be almost illegible. Apparently it is:

A petition to the Lieutenant General of the Admiralty by Marie Bouret, wife of Francois Gerué, clerk on board the ship the "St. Joseph," for citation of executor of estate of deceased Sr. Bernard Lasserre, to force payment of sum due to her by said deceased. Signed: Desbois, Ntry.

(7846) Notice served by Sheriff Loisy of La Rochelle on Sieur Jacques Rauneaux, Captain of the ship the "St. Joseph," in charge of succession of deceased Bernard Lasserre, to produce all moneys, movables, merchandise and effects of said succession, following order of the Lieutenant Judge of the Admiralty, on petition of Sr. Mathieu Duhulquod, merchant of La Rochelle, to whom said Lasserre was indebted to the amount of 372 livres.

(7825) June 2, 1737. Letter to Mr. Henry, Clerk of Superior Council in New Orleans, by Sr. Jacques Raineaux, of La Rochelle, Captain of the ship the "St. Joseph." He is about to leave for Canada, has not been able to carry out commission he gave him, but relies on Mr. Bourgine to render that service; hopes to be able to send by Mr. Rateaux' (Rasteau) boat, sailing in two months, the contents of Mr. Henry's memorandum; request not to deliver returns of Lasserre sale, deposited in Registry, to his heirs nor to any one whomsoever, without my sending you release from three seizures, one by Mr. Duhulquod for 372 livres, by Mr. Jean Levasseur for 372 livres, and the other by Madam Hervé for 400 livres, of principal and profits at 24%. Captain Raineaux has left his procuration to Mr. Pierre Lamarque, ship-fitter of La Rochelle, and letters may be sent to him if concerning this affair.

(7836) October 22, 1737. Procuration granted by Mr. Chasseriau Layné to Mr. Bancio Piemont, to seize in Mr. Rasteau's hands each and all sums that he has or may have belonging to Sieur Matheiu Duhulquod. Signed: Chasseriau layné. Busacres. Copy at La Rochelle, October 22, 1737 (12 sols). Signed: Nouheüy.

(7837) October 22, 1737. Certification of foregoing document signed: Beraudin.

Receipt to Mr. Henry by Sr. Bancio Piemont for the sum of 532 livres, in execution of the sentence at La Rochelle on the 15th of last June: 500 livres and that of 21 livres, 5 sols, for interest since then; for merchandise consigned to Sr. Bernard Lasserre by said Duhulquod, Sr. Bancio Piemont is duly discharged, the merchandise having been sold by Sr. Rasteau and received by Sr. Henry. Dated April 17, 1738.

(7840) June 15, 1737. Excerpt from Registers of the Consular Jurisdiction of La Rochelle, reporting judgment in favor of Sieur Mathurin Chasseriaud Lesne against Sieur Mathieu Duhulquod for 500 livres. Signed: Winet. Collated copy drawn June 18, 1737, signed: Gaux.

(7838) Sealed at La Rochelle, June 18, 1737. Signed: Nouheüy. Statement of costs amounting to 12 livres, 15:0.

(7848) May 27, 1737. Procuration by Sr. Estienne Destrezeaux, before the Notary Royal and Keeper of the Seal in the Isle of Rhé and the Notaries of the Baronetcy of the said Isle, to Sr. Paul Rasteau, residing "at the Mississippi," to whom he gives full power to act for him on any and all occasions and to withdraw from the Registry the sum of 1190 livres, 14 sols, on his own note. Signed: Mestayer, Ntry Royal.

Certification of foregoing procuration by Beraudin.

(7847) end of 7848. April 7, 1738. Receipt to Sr. Henry, Clerk, for the sum of 1141 livres, 7 sols, 9 deniers, added to that of 59 livres, 10 sols, for duty on consignment, the total of 1190 livres, 17 sols, 9 deniers, collected on the procuration and hereby full discharge to said Henry. Signed: P. Rasteau.

(7849) May 25, 1737. Procuration by Sr. Auguste Beraud of La Rochelle, "residing under the large clock, Parish of St. Sauveur," to Sieur Paul Rasteau, whom he empowers to withdraw from the Registry of New Orleans the note signed by Paul Rasteau in favor of aforesaid Beraud, amounting to 1335 livres, 5 sols, payable in a year hence, for merchandise sold by Sr. Raynaud, Captain of the ship the "St. Joseph," which was owned by said Beraud and had been intrusted to Bernard Lasserre, Lieutenant on said ship, to be sold "at the Mississippi," on basis of half profit. Signed: Soullard jr.

(7851) Certification of above signature of Soullard as Notary Royal, by Gabriel Renaudin, Lieutenant of the Seneschal's court of La Rochelle. Signed: Renaudin. Duahaise.

(7852) Receipt to Sr. Henry, Clerk, by Sr. Paul Rasteau, for the sum of 1235 livres, 15 sols, carried in foregoing procuration. Signed: P. Rasteau.

(7855) May 25, 1737. Procuration by Sr. Elie Vivier, merchant of La Rochelle, to Sr. Paul Rasteau, merchant of New Orleans, to collect from all Vivier's debtors in Louisiana "or the Mississippi," all sums due to him in any form whatsoever, to discharge, withdraw, etc. Signed: Soullard Jr Ntry Royal. Sealed on the said day. Jarosson. Certification of the foregoing by Sr. Gabriel Renaudin, sub-lieutenant in the Seneschal's court of La Rochelle. Signed: Renaudin. Duahaise.

(7858) April 17, 1738. Receipt to Sr. Henry, Clerk, of the Council, by Sr. Paul Rasteau, for the sum of 2283 livres for merchandise sold by Sr. Jacques Reneau, from consignment to deceased Bernard Lasserre.

(7828) December 10, 1737. Copy of letter written by Sr. Jacques Raineaux, acknowledging receipt of sum of 1144 livres from three seizures on MM. Duhulquod, Le Vasseur and Dame Hervé. Message to Mr. Bourgine. No address.

(7853) April 17, 1738. Procuration by Sr. Henry Chasseriau to Mr. J. Bancio Piemont, to collect from Sr. Rasteau, now in New Orleans, the sum of 885 livres, 7 sols, on sale of merchandise by Sr. Jacques Renaud, Captain of

the ship the "St. Joseph," said goods having been consigned to late Bernard Lasserre, as may be seen by vouchers deposited in Registry of New Orleans. Sr. Bancio Piemont authorized to collect said sum and any other amounts due to constituent and to give full and valid discharge in his name. Signed: Henry Chasseriau. Girard. JF Nonneau, Ntry.

(7854) Certification of authenticity by Gabriel de Braudin, Councillor of the King, and Sub-Lieutenant of the Seneschal's Court of La Rochelle.

(7854) Acknowledgment by Sr. Bancio Piemont of having received from Sr. Henry, Clerk of the Superior Council, the sum of 841 livres, 4 sols, with that of 44 livres for duty on consignment and he gives him full discharge for same. Dated April 17, 1738.

(7864) April 19, 1738. Declaration in Registry of Superior Council by Sr. J. Bancio Piemont, concerning deposit of proceeds of sale of effects of deceased Sr. Bernard Lasserre, who died at the Balize on the ship the "St. Joseph," on seizures made and the remainder due jointly to Widow Hemery and Sr. Le Vasseur. A collated copy of the original deposited in Notarial office: signed by Henry, notary.

(7866) Copy. Original filed as record. 3½ pp. April 19, 1738. Procurations filed in Registry by Sieur Bancio Piemont, empowered to collect sums due by Lasserre estate to Widow Hemry, Sr. Jean Le Vasseur and Sr. Mathieu Hulquod. The deposit not being large enough to cover the debts, it has been agreed to pay one marc to the livre. Sr. Rasteau's personal claim on Lasserre's deposit amounts to 1056 livres, 5 sols. The creditors who will not subscribe to this agreement will have to have recourse for the surplus against whom they may think proper. There still remains in the Registry the sum of 330 livres which will be paid to those who hold procurations without further costs.

(7868) March 5, 1743. Appearance in Registry of Sr. Pierre Boyer, acting for Sr. Pierre Boyer, his father, and for Mr. Mathieu Hulquod, who has accepted payment on above basis and has acknowledged receipt of 684 livres for 772 livres; for Mr. Hulquod 330 livres, 16 sols, and in like proportion for other creditors, which transaction took place in the presence

of Sr. Augustin Chantalou and Francois Cantrelle, witnesses, residing in New Orleans. Signed: pierre Boyé fils. J Bancio Piemont.

(7870) List of creditors of succession of late Bernard Lasserre, enumerating amounts due individually to said creditors proceeding from returns on merchandise consigned to said Bernard Lasserre and sold by Captain Raineaux, proceeds of said sales deposited in the Registry of the Council in New Orleans.

Total of debts	12,655 L.	5 S.	10 d.
Costs	813	15	
for heirs:	13,469	0	10

(7834) January 23, 1743. Letter by Sr. Nicollet to Mr. Henry, Chief Clerk of the Superior Council in New Orleans, concerning sums which he is empowered by procuration of Sr. Pierre Boyé to receive from Mr. Piemont. As Mr. Henry must have heard, "L'Aimable Société" foundered at sea and writer lost papers and every other possession aboard, and he prays Sieur Henry to pay to Sr. Boyé, Jr., the sum of 376 livres from deposit he holds. Signed: Nicollet. Letter dated from the Cape, San Domingo.

Oct. 16. (6131) (1904) **Acknowledgment** by Antoine Joseph Andre and Marie Magne Chemit, his wife, under his authorization, of their indebtedness to the Company of the Indies to the amount of 2000 livres for a negro and a negress that Pierre Sommier, resident of New Orleans, ceded to them with consent of Sr. Faucon Dumanoir, Agent of the Company, which sum Andre and his wife obligate themselves solidarily to pay in two payments: 600 livres in three months and the remaining 1400 livres in the course of 1737, stipulating a mortgage for the same on their movables and especially on their negroes and plantation at the German Village. Original signed by André, his wife and Sr. Sommier, declaring that they did not know how to sign nor write. Signed: Henry, Notary.

(6135) January 24, 1738. Receipt by Sr. JB Faucon Dumanoir to Sieurs Germain and Dupont for the sum of 1000 livres to credit of account of Joseph André and that of 1000 livres in February of the same year, wherefore he gives

him full discharge of his debt to the Company. Approved by Salmon. No. 6133, duplicate of foregoing, signed: Andre. JB Faucon Dumanoir. Hugault. Bimont. Approved by Salmon.

Oct. 17. (6136) fo 4. (1905)

Acknowledgment by Bertrand Jaffre, called La Liberté, and Louise Soulard, his wife, of indebtedness to the Company of the Indies to the amount of 7423 livres, 13 sols, 10 deniers, advanced for their establishment, which sum they solidarily obligate themselves to pay in three equal payments within 18 months, stipulating a mortgage for same. Signed: Jaffre. JB Faucon Dumanoir. Bimot, Hugault. Approved by Salmon, Commissioner for Company of the Indies. Signed: Henry, notary.

Oct. 20. (6241) (1932)

Report of Runaway Negress in Registry of Superior Council by Surgeon Pierre de Manadé, who states that negress hired by him from Thomelin, tutor of minor heirs of deceased Coupart, for three months, has run away since nine days, that he has informed Thomelin of this fact but as said Thomelin seems to ignore that this negress is no longer on his premises, he makes this declaration to serve as need may be.

(To be Continued.)

INDEX TO THE SPANISH JUDICIAL RECORDS OF LOUISIANA

X.

June-August, 1771

(Continued from April, 1925)

By Laura L. Porteous.

1771—June 1.
Henrique Voix v. Mr. Baure or Bore, Musketeer.
No. 3988. 40 pp.
Court of Governor Unzaga.
Assessor, Cecilio Odoardo.
Escribano, Juan B. Garic.

Suit against original debtor coupled with proceedings against third person, a debtor of the defendant.

Action to recover 601 livres, 16 sols, due since January 14, 1765, for merchandise from abroad. Defendant is absent in France, and service is made on Antonio Foucher, his curator, appointed on the advice of a family meeting, August 10, 1765, proof of his capacity being made by an extract from "the Register of the Audiences of the Superior Council."

The curator denies his capacity, averring that Boré returned to New Orleans after the appointment. That the latter is thirty years old and absent from the Colony.

Foucher is thereupon interrogated as to whether he has any funds belonging to Boré and he negates this proposition, but says that Francois Raguet is a debtor of Boré.

Raguet is thereupon cited to declare under oath the extent of his indebtedness. Admits he owes Boré 30,000 livres more or less in paper money of the Colony, but pleads an extension of time for five years granted by his creditors.

A controversy is started to the effect that Boré was no party to this respite and Unzaga maintains the plea and orders Raguet to pay plaintiff's debt.

In June, 1772, Juan B. Garic, Escribano, reports that he has learned that the debt has been paid and asks for taxation of costs and a judgment is rendered against plaintiff (Voix) for 52 pesos, 5 reales, but Garic endorses on the record "non payé les frais."

June 11.
Juan B. Pomet vs. Francisco Caminada.
No. 3950. 9 pp.
Court of Governor Unzaga.
Assessor, Cecilio Odoardo.
Escribano, Juan B. Garic.
To collect notes.

For 162 livres, 10 sols.
Defendant appears and acknowledges the notes. Pomet asks for a writ of execution, which in due course is ordered issued. Nothing further is done until April 20, 1772, when the costs are taxed at 12 pesos, 6 reales.

June 11.
Ana Testas vs.
Mr. de Latour, Jr.
No. 3975. 78 pp.
Court of Governor Unzaga.
Assessor, Cecilio Odoardo.
Escribano, Juan B. Garic.

A prolonged dilatory defense rebuked by the Court.

Suit upon an open account for 1114 livres, 5 sols, 9 deniers, due by defendant and for another account due by Miss Tonton Lavergne, now the wife of defendant.

Latour obtains leave to borrow the court record for two days on the plea that he desires to compare the accounts with those in his possession. He fails to return them and the judge causes the sheriff to seize them. After much dilatory pleading covering 18 months, plaintiff petitions saying she has come to an agreement with defendant and the latter admits he has paid the debt. Costs are taxed against him, 101 pesos, 7 reales.

During defendant's campaign for time, the judge overruled one of his pleas with the tart endorsement, "Petition denied as it is made in order to gain more time."

June 25.
Salomon Malline vs.
Joseph Maison.
No. 148. 4 pp.
Assessor, Juan B. Garic.
Escribano,
Andres Almonester.

To be relieved of the duties as agent.
(See July 27th.)

Plaintiff's petition says that he has been put in charge of the defendant's business in this city to collect his debts but has not taken up the duties of his trust, as Joseph Maison is in debt to him. He asks a defender be appointed who can take charge of the said Maison's affairs and give an account of them so that he can assert his rights against the defendant. Unzaga orders witnesses called to give their testimony. Antoine Villefranche, Pablo Segond and Pedro Bertoniere declare under oath that Joseph Maison has been absent from the city for about a month, as since that time they have seen nothing of him.

July 2nd, Unzaga on Odoardo's advice rules: That the testimony of the witnesses proves that Joseph Maison is absent, therefore, Henrique Desperez, attorney, is appointed his defender. He must accept and take oath to take charge of Maison's affairs now in the care of Salomon Malline. On the same day Henrique Desprez accepts and takes oath to act as defender of Joseph Maison, absent from the Colony. The record ends here.

June 25.
Maria Francisco Aufrere, wife of Gerardo Pery vs. Santiago Voisin.
No number.
Court of Alcalde
Nicolas Forstall.
Assessor, Cecilio Odoardo.
Escribano, Juan B. Garic.

To enjoin execution levied on her property for a debt of her husband.

Maria Francisca Aufrere, wife of Gerardo Pery, presents the certified copy of the act appointing Enrique Desprez her attorney and an extract from the Register of Audiences of the Superior Council, dated February 28, 1743, granting her a separation of property. She opposes the executory proceedings brought by Santiago Voisin against her husband's property, claiming for herself the rights of first privileged creditor. She prays to have the execution annulled. This is sent to Voisin who answers on July 15th, that the separation of property was made 25 years before and should have no effect now and the execution should be carried out. He prays that the seizure be made by Santiago Hallays. This is sent to Mrs. Pery and on July 23rd, Gerardo Pery answers declaring that he has nothing, that a separation of community property was ordered by the former Council, that the community was not sufficient to satisfy his wife for her matrimonial and paraphernal property and dowry. He has always lived with his wife, who since this time has always fed, lodged and clothed him. This is all he can answer. The Court orders the case to go on trial within nine ordinary days. The record ends here.

July 4.
Juan Pomet vs. Antonio Estomillo.
No. 3953. 4 pp.
Court of Governor Unzaga.
Assessor, Cecilio Odoardo.
Escribano, Juan B. Garic.

Suit in New Orleans against resident of Bayou Goula.

Plaintiff presents a note with the defendant's sign manual duly witnessed, together with an itemized statement of accounts claiming a debt of 1956 livres, 8 sols. As the debtor lives in the jurisdiction of Mr. Dutisné, Lieutenant Governor of the Post "of the Bayougoulas," he prays for a despatch to be issued in due form with a copy of the present petition and the originals of the obligation and all sent to the above named official, authorizing him to summon Estomillo so that he might verify his debt and pay it within a short space of time. July 6, Unzaga on Odoardo's advice orders the despatch issued "as it is prayed." There is no formal taxation of costs, but on the margin of the last page is a note paraphed by Garic which states: "Received 26 reales for the costs." The record ends here.

July 6.
Antonio Barnabe vs.
Bernardo Dauterive.
No. 132. 28 pp.
Court of Governor Unzaga.
Assessor, Cecilio Odoardo.
Escribano,
Andres Almonester.

Creditor sues to set aside preferences to other creditors.

Plaintiff sets forth that it has come to his knowledge that the defendant has carried off cattle from his dairy farm without notifying his creditors, which is prejudicial to his rights. He prays that Mr. de Vaugine be summoned to certify if the said stock has been sold to him and delivered to him on his plantation and if he has paid for it. He further asks that an inventory be made of the defendant's property in the presence of all interested parties. Granted.

July 12, Antonio Barnabé states that as Don Nuisimen de Vaugine is on his plantation gathering his crops he prays that the escribano be sent to take his declaration. The Court orders a citation issued to Mr. de Vaugine to appear. Pedro Bertoniere certifies to personal service of same.

July 15, de Vaugine, in Almonester's office, testifies that about ten or twelve days before Mr. Dauterive drove some cattle to his plantation and left about eight head of stock there, authorizing him to sell them, which he did, to Antonio and Nicolas, butchers. He received payment in full amounting to 110 or 120 pesos, he does not exactly remember which; this money he handed over to Mr. Dauterive. The rest of the cattle was delivered to Mr. de la Ronde in order to make a payment to him for a certain amount due him.

July 17, Antonio Barnabé says that owing to the fact that Dauterive has removed some of his cattle to Mr. de Vaugine's plantation to the prejudice of himself and the other creditors, it becomes necessary to take some legal action in this affair, and so as not to embarrass the principal cause he asks that this "article" be filed in a separate folio. Granted.

He calls attention to the fact that according to Esteban de Vaugine's declaration Mr. de la Ronde has some of Mr. Dauterive's cattle. He asks he be summoned to declare what portion he has received. Unzaga orders Mr. de la Ronde summoned to testify, and when this is done deliver his declaration to Mr. Barnabé.

August 1, Pedro de la Ronde, in Almonester's office, declares it is true that about three weeks or a month ago Mr. Dauterive delivered to him two bulls, eight cows, five heifers and six calves, but these were given in payment for a debt of two years' standing. In order that he might make delivery he asked for two negroes to drive the cattle over; these were sent to him for the said purpose and the delivery was made as he has declared.

August 3, the plaintiff sets forth that in spite of the decision rendered in the principal cause of the "Concursus of

Dauterive's Creditors," he has removed from his plantation 29 head of cattle and delivered them to Mr. de Vaugine, and 21 of the same to Mr. de la Ronde. He prays that this live stock be ordered returned with the amount in full for those sold to the butchers (eight in number).

August 7, Unzaga on Odoardo's advice rules: That the exportation of the cattle made by Bernardo Dauterive was done to defraud his creditors. Mr. de Vaugine and Mr. de la Ronde are ordered to make restitution respectively of the cattle they have taken under divers pretexts of compensation. He gives them a warning that they must pay the costs of these proceedings including an assessor's fee of 2 pesos for this decision. A taxation of costs to be made by the escribano.

August 8, Barnabé states that both de Vaugine and de la Ronde are on their plantations, so that the escribano can not notify them of the foregoing decision. He asks that certified copies of the said decision be made and entrusted to a suitable person to be delivered to the forenamed gentlemen. These copies are made and delivered by Pedro Bertoniere, who certifies to the personal service of same. The record ends here.

July 15-17.
Julian Vienne vs.
Sundry Debtors.
Court of Governor Unzaga.
Assessor, Cecilio Odoardo.
Assessor, Juan B. Garic.

For debt.

We note one entry to cover ten separate suits by plaintiff against the following named debtors, to-wit:

Juan Lionais	483 livres, 15 sols
"One called Naude" (Pierre)	140 livres
"One called Bethune"	470 livres
Messrs Berteaud & Son (Andres)	325 livres
"One called Provencal, the Blind" (Joseph)	240 livres
"One called Dejardin" (Desjardins)	280 livres
Juan Luis Wiltz	132 livres
Charpentier the Inn-keeper (Pierre Charpentier)	156 livres
Mr. Adamville (Francisco)	275 livres, 5 sols
Felix Sicare (Felix Sicard)	350 livres

July 18.
Succession of Juan Baptista (Cezaire) LeBreton, Inventory and Valuation of His Estate.
No. 155. 64 pp.
Court of Governor Unzaga.
Assessor, Cecilio Odoardo.
Escribano,
Andres Almonester.

The preliminary proceedings, such as the official announcement of the death and its certification by the escribano, are dispensed with as they have already been presented in the trial of the murderers of Jean Baptiste LeBreton (See La. Hist. Qy., Vol. 8, p. 5, Jan., 1925). The succession is opened by the petition of Maria Juana Francisca Macarty, widow

of the deceased, in which she sets forth that her husband died May 31, 1771, and left minor children and some property which she asks to have inventoried and appraised. She names as appraisers for her part, Luis Chauvin, called Beaulieu. Because of the minority of her children she prays that a curator ad lites be appointed to represent their rights and when he is appointed he will in turn name an appraiser for his minors and also that the date be set for the taking of the said inventory. She appoints Francisco Broutin as her attorney.

Unzaga rules that they proceed to make the inventory and valuation of the deceased Lebreton's estate, appointing as appraiser the party named by the widow to represent her interests. Henrique Desprez is named curator ad lites for the minor children who must be notified so as to qualify. The orders of the Court are carried out and both Luis Chauvin, called Beaulieu, and Henrique Desperez qualify. The latter appoints Pedro Songy appraiser to represent the interests of the minors. He is acceptable to the Court and is notified to qualify, which he does on the same day.

August 5, Mrs. Lebreton prays to have the day set for the taking of the inventory. To this Unzaga rules that the escribanos must certify if they have any will or other disposition of Juan Baptista Lebreton in their Archives. Juan B. Garic and Andres Almonester, each in a separate declaration, certifies that there is no memorandum, will or disposition made by the deceased and filed with them. Unzaga on Odoardo's advice, decrees that the proceedings for the taking of the inventory of the Lebreton succession be begun Monday, the 12th of the present month. Let the widow be notified so that she can place the property so that it can be evident to the interested parties.

August 12, Cecilio Odoardo, Assessor General, accompanied by the escribano, Francisco Broutin, attorney for the widow, Henrique Desperez, curator for the minors, Leonardo Mazagne, attorney for Luis Mallet (the chief creditor), Pedro Songy and Luis Chauvin, named as appraisers, went to the plantation of deceased Mr. Lebreton, situated about two leagues and a half, more or less, from the city, where they began taking the inventory and appraising the estate which consists of wearing apparel, house furnishings, guns, farm implements, live stock, the plantation house, and outbuildings, a sawmill, land, growing crops (indigo), amounting to 40,890 pesos.

A separate inventory and valuation is made of the slaves, many of them being the same as appeared as witnesses in the murder trial, namely, Mariana, native born, aged 19, with her daughter, Flora, both belonging to Mrs. Lebreton, appraised at 240 pesos. Those belonging to Mr. Lebreton are: Big Pablo, native born, aged 40; Bernard, 36; Muton, 55; Juan Augustin, 36; Flaxolet from Guinea, 55, with his wife, Maria, 50; Nicolas,

40; Carlos, 65; Antonio, the blacksmith, 20; Magdalena, 20; Lucia, 25; Mariana, 18; Franicsco, 40, and his wife, Maria, 35; with their children, Cecilio, 10, Esteban, 6, Celestin, 3; Little Pablo, 30; Horje, 40, and his wife, Francisca, 35; Juan Baptista, 15; Joseph, 38, and his wife, Julia, 30; Baptista, their son, 8; Manet, 18; Rosete from Congo, 15; Pedro, 20; Luis, the butcher, 45. The negroes of Mr. Lebreton's parents, Douchu, 50, and his wife, Julia, 25, and their daughter, Juana, 3; Pedro Tom, a Senagal, 75, and his wife, Juana, 60; Cesar, from Guinea, 60; Juan, 32, overseer of the indigo crop; Mercurio, 30; Isidoro, 28; Maria Juana, 34; Cipion, 65; the other Juana from Guinea, 30, with her children, Luis, 6, Adelaide, 2. Telemac, 15; Casimiro, 35; Joseph, 40; Antonio, 36; Pablo Chocorat, 45; Carlos, 40, from Guinea, and his wife, Maria Juana, the same age; Lia, 70, from Guinea. Total value of slaves, 70,960 pesos. The tools and implements bring the property value up to 80,060. The inventory is finished September 28, 1771. Signed by Doctor Odoardo, Leonardo Mazagne, Enrique Desperez, Francisco Broutin, Luis Chauvin Beaulieu, Pierre Songy, attested before Andres Almonester, and all the property is left in charge of the widow.

November 18, Henrique Desprez as curator for the minors, and on the 19th, Francisco Broutin, for the widow, and on the 21st, Francisco Simar De Bellislle (representing Mr. Mallet), each in a separate petition, sets forth that the inventory seems to have been well made and in conformity to law, and they have no objections to offer. They pray the Court's approval and to interpose its judicial decree in order that it may fulfill all the requirements of law. Unzaga on Odoardo's advice, rules that with the consent of all parties the inventory is approved in due and proper form and he orders that the records of the case be delivered to the curator of the minors so that in accordance to his office he will act as will be suitable. Assessor's fees 2 pesos.

November 27, Desperez states that the records of the case have been delivered to him and although Mrs. Lebreton has shown all the property to be inventoried they have not found any papers by which they could determine the full value of her husband's succession. He asks that she present the necessary data about Mr. Lebreton's creditors, with a stipulation of the full amount of the debts. Granted. December 2, Desprez says Mrs. Lebreton is always on her father's (Mr. de Macarty's) plantation and has not given the information requested in his last petition. He asks that the escribano go to the plantation and take her declaration. Unzaga rules, "as it is prayed."

January 27, 1772, Mrs. Lebreton presents the account and sworn statement of the active and passive debts of her late husband's estate.

The passive debts amount to 30,335 livres, 15 sols, 6 deniers
The active debts amount to 3,413 livres, 17 sols, 0 deniers

The Court orders this sent to Enrique Desperez, who answers on February 27, saying that he has no objections to offer against the accounts presented by Mrs. Lebreton, with the reservation that this "addition" must be put with the general account which must be given. He asks that all the property mentioned in the inventory be sold so as to make the partition and to assign to each of the minors the share which belongs to him. Petition granted and the public calls for the sale ordered made in order to fulfill the ends of the law.

March 6, Mrs. Lebreton prays to be permitted to oppose the sale and asks that instead to make a partition of the property without a sale, with auditor appraisers (terceros contadores) appointed to make the partition. Unzaga orders the calls for the sale temporarily suspended.

March 18, Mrs. Lebreton presents a certified copy of her marriage contract dated July 12, 1764, and upon the terms of which she justifies herself upon her opposition to the decree to sell her husband's property, claiming 3000 hard pesos for her dowry, clothes, rings, jewels, etc., the value of which are made evident by the said contract. She asks that the above said decree be revoked and that the 3000 hard pesos be adjudicated to her which belongs to her, without selling anything. This is sent to Henrique Desprez.

The marriage contract deserves note because of the prominence of the contracting parties and those present. It reads: "There were present Mr. Jean Baptiste Cezaire Lebreton de Charmeaux, Black Musketeer of the King's Guard, son of Mr. (Louis) Cezaire le Breton, Esquire, Counsellor of the Sovereign Court of Money of Paris, Lord of Bassare, Charmeaux, and of the deceased Margueritte de la Freniere, his mother, and father native of New Orleans, Parish of Saint Louis, Diocese of Kebeq (Quebec) for one part.

"And Miss Jeanne Francoise de Macarty, minor daughter of Mr. Barthellemy Chevalier de Macarty, former Captain of Infantry, and Mrs. Francoise Helene Pellerin, her parents native of New Orleans, Parish of Saint Louis, for the other part."

Assisting in the making of the contract besides the groom and his father and the bride and her parents were: Nicolas Chauvin de la Frenier, the groom's maternal uncle, Procureur General of the Superior Council of the Province, and Mrs. de la Freniere, his aunt; Miss Belaire, Mrs. de la Freniere and Mrs. Daunoy, cousin by marriage of the future husband, Mr. Jean Jacques Blaize Dabbadie, Director General and Commander for the King in the Province of Louisiana and first magistrate of the Superior Council, and his wife, Mrs. Madelene Dumesnil and Mr. Foucault, Controller of the Marine, Second Judge of the Superior Council, their friends.

On the part of the bride there were Mr. Pellerin, Captain of Infantry, a maternal uncle, Madame de Membred, her grandmother, Mrs. Francoise Trepanier, widow of the deceased Mr. de Macarty, former Lieutenant of the King, Chevalier of the Royal and Military Order of Saint Louis, aunt by marriage of the future bride. Mr. Aubry, Chevalier of the Royal and Military Order of Saint Louis and Commander of the troops stationed in this Province, Mr. De Grandmaison, Chevalier of Saint Louis, their friends.

Signed: Jean Baptiste Cessaire le Breton, de Charmeaux. Jeanne Francoise Macarty. Lebreton. Pellerin Chev. Macarty. Le Chev. Macarty. Dabbadie. Dumesnil Dabbadie. Widow Macarty. Hubert Lafreniere. Louis Pellerin. Chauvin Lafreniere. Aubry. Grandmaison. Lafreniere. Lolotte Bellaire. de la Place. Hubert. Pellerin. Olivier de Vezin. St. Martino. With Henry Gardrat and Jh. Becat, as witnesses.

March 24, the curator answers, opposing the widow's demand for her dowry because it would leave nothing for his minors. He reiterates his plea for the sale of all property mentioned in the inventory. On Odoardo's advice this, together with the widow's claim, are ordered sent to Mr. Mallet (chief creditor for 16,000 livres). After some delay in which time the widow files four separate petitions for a response, Luis Mallet answers, April 9, saying that all that is due the widow for her dowry is 4000 livres, not 3000 hard pesos as she demands, the other effects she claims can not be conceded to her. Her deceased husband had nothing at the time of his marriage. He asks for his share which is due him according to the instrument of mortgage he duly presents (not filed with the record), and asks that his part which is due to him under bond be delivered to him.

April 10, Unzaga on Odoardo's advice, hands down a final decree to the effect that the Court adjudicates the estate to the widow at the price of its valuation, obligating her to pay the passive debts, and she must answer for the results in favor of the minor children at the time of the division. The decree is revoked ordering the sale to liquidate what belongs to the minors. The widow must be notified to give an account of the proceeds of the estate and a list of her expenses since the death of her husband until the day of adjudication. Let the costs be taxed by the present escribano up to the last proceedings which must be paid for with two pesos assessor's fees for this decision, all to be paid by the widow on the day of the notification. Taxation of costs for the settlement of the succession April 11, 1772, 172 pesos, 4 reales. For the proceedings caused by Mr. Mallet to collect his debt, taxed 6 pesos.

November 12, 1773, Henrique Desprez states that he was appointed curator to the minor Lebreton children and that he

now wishes to renounce this office because he can not devote sufficient time to the defense of the said minors. He prays to be released and that some one else be appointed to succeed him. Granted.

April 4, 1777, Mauricio Conoe (Maurice Conway) as husband of Juana Macarty (Maria Juana Francisca de Macarty, widow of Juan Bautista Cesaire Lebreton), sets forth that his wife by her previous marriage has two children, Francisco and Juana, and that his wife wishes to remain as guardian of the estate left by the death of her first husband. After the payment of the debts and mortgages there was not enough left to cover her dowry. For this reason the property is held by his wife together with the two children. News has just reached them of the death in France of Don Luis Lebreton, his step children's grandfather. They have no one to represent them though they are still minors, no curator ad bono has been assigned to them. He prays that one be named to take the necessary action to represent their interests. The minor children have no paternal relatives other than their uncle Francisco Lebreton, who is also interested in the same succession, therefore should not be made their curator. He asks instead that their maternal grandfather to whom the title belongs by law, be appointed. This petition is sent to Governor Bernardo de Galvez, who on Odoardo's advice, rules that Captain Don Bartholome (de) Macarty be appointed curator ad bono to the minors, children of Juan Bautista Lebreton. The said curator must first accept, take oath, and give bond. Mr. de Macarty qualifies. The record ends here.

July 19.
Ana Testas vs.
Luis de Blanc.
No. 3976. 6 pp.
Court of Governor Unzaga.
Assessor, Cecilio Odoardo.
Escribano, Juan B. Garic.

To collect a note.

The plaintiff presents the original note dated November 7, 1770, by which de Blanc promises to pay on March 20, 1771, to the widow or her order, 1000 livres in piastres gourdes, or in pelts, for value received in merchandise, at Natchitoches. Also the act by which she appoints Enrique Desprez her attorney. She sets forth that she has been unable to collect this note from the minor, Luis de Blanc, and prays that his curator (Pedro Enrique) Derneville be ordered to pay. This is ordered sent to the defendant. September 10, Ana Testas complains that her petition has not been answered and asks that the defendant be ordered to pay. Unzaga on Odoardo's advice, summons the defendant for the second audience. November 5, Ana Testas and Luis de Blanc say that the debt is paid, they wish to discontinue the suit and have the costs taxed, which the defendant agrees to pay. November 13, Unzaga on Odoardo's

advice, rules that with the consent of both parties the suit is cancelled. Let a taxation be made of the costs including assessor's fees of 12 reales for this decision. Taxation 7 pesos, 3 reales.

July 25.
Criminal Prosecution on the denunciation made by Juana Maison for having been insulted on the night of the 25th of the current year by Vincent Rillieux.
No. 125. 129 pp.
Court of Governor Unzaga.
Assessor, Cecilio Odoardo.
Escribano, Almonester.

These proceedings had already been begun in Alcalde Forstall's Court when the accused asks to have his case transferred to the Governor General's Court. This record, therefore, opens with Vincent Rillieux' petition to Governor Unzaga, complaining of his unjust imprisonment made by order of Alcalde Forstall without any crime having been proven against him, and asks the transfer of his case to the higher Court.

Unzaga rules to enquire of Alcalde Nicolas Forstall if he has taken the necessary testimony in this case and before what Notary. July 29, Nicolas Forstall certifies that he ordered the arrest made on the complaint of Mrs. Maison after taking her testimony and that of a little negro girl, who both made the charge that a man presumed to have been Vincent Rillieux had entered Mrs. Maison's bedroom at 10 o'clock at night and insulted and attacked her while she was lying in bed. He has been notified that Mrs. Maison has presented herself before Andres Almonester and made a declaration of the affair.

Alcalde Forstall consents to the transfer of the case to the Governor's Court, desiring to satisfy all parties. He agrees to remit the testimony already taken. July 30, Unzaga accepts the case sent up to him from Alcalde Forstall's Court and orders Juana Lamber (Juana Nicolle Lambert), known as Mrs. Maison, to appear before the assessor to make a declaration of the incidents of her verbal complaint already made to Alcalde Forstall.

July 31, Mrs. Maison makes her "denunciation" before Cecilio Odoardo to the effect that at about quarter after ten she was in bed with her friend, Mariana Peche (Paiche), with the little negro girl, Maria, whom she had rented from Mrs. Dupar (Dupard) sleeping in the same room. She was attacked by a man who caught her around the throat and beat and kicked her. She wrenched herself loose and together with her friend, set up an alarm that roused the neighborhood. The aggressor escaped before Charles Tarascon and the others arrived. She does not know whom to accuse of this crime as she never meddled nor quarreled with any one.

On the same day Unzaga orders Mrs. Maison examined by the Surgeon, Peter Couturier. Escribano Almonester reports after an examination of Juana Maison, that he finds her neck swollen and there seem to be bruises but no wounds or any signs that a cutting instrument was used. On the same day the surgeon also reports that upon an examination of Juana Maison he finds great inflammation inside of her throat and the outside swollen and that because of her condition the seriousness of the attack threatens danger to her life. He treated her promptly with suitable remedies.

August 1, Cecilio Odoardo, commissioned by the Governor, began taking the testimony of the witnesses. The first to be called was Mariana Peche who was occupying the bed with Mrs. Maison. She said that she heard a noise that terrified her, she communicated her fears to her companion who explained that she thought it was the little negro girl sleeping in the room who had stirred. Immediately after her feet were seized, then Mrs. Maison screamed that some one had grabbed her around the neck and that she had been struck in the stomach by some one's knees. It was too dark to see who was the aggressor who succeeded in making his escape. The little negro girl fled with him so she thinks she must have been his accomplice. The little girl was afterwards caught in the courtyard by Charles Tarascon after she and Mrs. Maison had screamed for help. She had heard it said that the guilty party was the prisoner charged. Questioned who had heard the negro girl say so, she answered her father and Mrs. Maison when they had given their verbal testimony at the time Nicolas Forstall had taken the necessary proceedings during the first investigation when they arrested the man and detained the little girl for safe keeping.

The neighbors who had come to the rescue begin giving their testimony. The first called is Antonio Olivier, followed by Charles Tarascon, Urban Paiche and Francisco Defeu; the latter's testimony is largely made up of what he heard the little negro girl say, implicating Vincent Rillieux, which brought about his arrest. Then Elena, a free negress born in Guinea, is called and Miret, a negro slave of Mr. Doriocourt, who both declare that they know nothing of the affair. Juan Bautista Lacoste testifies, and then the little slave girl, Maria, aged 13, who openly accuses Vincent Rillieux.

August 6, Vincent Rillieux makes his declaration, giving a perfectly connected account of all his movements on Thursday the 25th of the month before, the day on which he was supposed to have attacked Mrs. Maison. At 10 o'clock in the morning he went to his brother-in-law's, Pedro Songy, to get some thread, he was asked to remain to dinner, which he did. While there he saw Messrs. Frisono and Asquie. At 2 o'clock in the afternoon he took the thread and upon passing his sis-

ter's, Mrs. Clermont, she called him in, where he remained until half-past 6, then he went to his own house with his sister where they had supper together with a young boy called Mr. Benoi(t) who lives in his house. He took a walk in company with the said Benoi, then they all went out to sit on some benches outdoors to take the air until time for Mrs. Clermont to go home. Then he and Benoi went to his room where they both went to bed together in the same bed. That on that night he wore long cotton trousers, a white vest and shirt and a small, high, black hat. (Vincent Rillieux' clothes played a great part in the so-called identification of the aggressor.—L.L.P.) He was asked how many doors opening on the street there were to the house he lived in? He answered four. Asked if he knew Mrs. Maison. He answered naturally, everybody knew her as her husband had been sheriff of the Council and that she had once lived next to him, but that since the coming of His Excellency Don Alexandro O'Reilly, he had not communicated with her nor did he know where she actually lived. He was asked if there was any bad feeling between the families? He said his brother-in-law, Salomon Malline had had a lawsuit with Joseph Maison but he knew nothing much about it. He was then confronted by the little negro girl, Maria, who under oath declares that he is the same man who came to Mrs. Maison's house and tried to choke her. Vincent Rillieux said that her statement is false and ratified the declaration already given. He declares himself to be about 30 years of age.

August 7, Joseph Songy and Mariana Clermont give their testimony which affirms Rillieux' declaration. August 9, Unzaga on Odoardo's advice, orders Vincent Rillieux' property seized, and to have the warden of the prison certify that he holds his person and let the present Assessor take his confession. On the same day Andres Barbier, warden of the prison, certifies that he holds Vincent Rillieux as a prisoner. On the same day also, Santiago Hallays, deputy sheriff, went to make a seizure of the prisoner's property but could find nothing. However, some persons whom he had questioned informed him that Vincent Rillieux owned a plantation on the other side of the Lake at English Lookout, situated on Pearl River.

Note.—"English Lookout." This word is so purely Saxon-English, with so many different meanings it has hardly an exact counterpart in the Latin languages. Undoubtedly the place mentioned stands where English Lookout does now. The text reads: "del otro lado de el lago en la tierra Inglesa en el citio de el Rio de las Perlas," etc. Perhaps it would be better to be on the safe side and call it "English Territory."—L. L. P.

August 9, Vincent Rillieux makes his "confession" (answers under cross-question), before Cecilio Odoardo, who went to the prison to question him. He maintains his innocence and says the little negro girl must have been influenced to testify against him by those who wished to injure him and his family. He intimates that it may be on account of the suit prosecuted against Joseph Maison by Salomon Malline, his brother-in-law.

August 10, Unzaga orders the records of the case sent to Joseph Maison, Juana Nicolle Lambert's husband, so that he may prosecute Vincent Rillieux if he wishes to do so.

August 13, Rillieux asks to be released from prison under bond; Unzaga on Odoardo's advice, grants this petition; Almonester notes on the margin that the bond has been issued, Salomon Malline acting as security.

August 14, Joseph Maison through his attorney, Francisco Broutin, charges Vincent Rillieux with the crime of having attempted to kill his wife and asks that he be punished to the full extent of the law, and that he be re-arrested and held in prison until the final sentence is passed. This is ordered sent to the accused.

August 23, Leonardo Mazange, attorney for Rillieux, answers saying the whole charge is false. His client has proven an alibi and that witnesses have testified that he was in another part of the city when he was supposed to have committed the crime. Point by point the testimony against the accused is taken up and refuted. He also claims that there is nothing extraordinary in the fact that Mrs. Maison had inflammation of the throat as the Doctor testified. There is much of this malady not only here but in El Cap (Cap Francais), Pensacola and Manchac. September 2, Unzaga on Odoardo's advice, orders the case to go on trial within nine days.

September 3, Rillieux sets forth that his opponent is an alien without a fixed domicile and as this criminal suit he is prosecuting will involve considerable costs, it is convenient to his rights that Joseph Maison give bond "a bono" or that he be put in prison, and prays that Governor Unzaga will order what will be according to law. This is sent to Maison.

September 17, Joseph Maison answers, classing Vincent Rillieux' demand as an impertinence. It is he who is an alien, having his home on Pearl River in English territory. He swears fidelity to both the Kings of England and of Spain, while he, Maison, takes his oath to the King of Spain alone, and all his possessions are in this Colony. There is no law obligating the accuser to give bond for costs. If he were a Chinaman or a Turk the law would take its course on his simple denunciation and justice would follow if the accused were found guilty. Justice is administered for all alike, rich as well as poor, stranger as well as native. On the contrary, it is Rillieux who should be put in prison and held there, not permitted to speak to any one until sentenced, because he does nothing but solicit and suborn witnesses against him (Maison). He prays that he be put in the Calabozo without the privilege of communicating with any person until sentenced. September 29, Unzaga on Odoardo's advice, rules that Mr. and Mrs. Maison must give bond within three days. September 24, Rillieux complains that Maison has not given bond for costs and asks that he be put in prison. Evidently Maison complies.

Nothing further takes place until August 2, 1772, when Vincent Rillieux prays for a publication of the evidence. This is sent to Maison. Almonester reports that he was unable to communicate with Maison who has left the city. Rillieux asks the Court to name a defender to represent Joseph Maison who is a fugitive from the Colony. The Court names Francisco Broutin, "Promotor Fiscal" (district attorney), to represent Maison, who must first accept and take oath. Broutin qualifies on the same day and on the one following petitions for a publication of the proofs. On August 27, having received the consent of both parties, Unzaga on Odoardo's advice, orders a publication of the proofs, which begins with the ratification by the witnesses of their testimony already given. The ratifications take place in the following order: Joseph Songy, Urban Paiche (Peche), Francisco Defeu, the little negro girl, Maria, Juan Bautista Lacoste, Charles Tarascon, Mariana Clermont, Vincent Rillieux, Mrs. Doriocourt's slave, Miret, Mariana Peche and Elena, the free negress.

The other proofs of Joseph Maison against Vincent Rillieux show that September 10, 1771, Joseph Maison presented the interrogatorio to be put to the following witnesses: Vincent Rillieux, Maria, the negress, Charles Tarascon, Mrs. Clermont, Mr. Defeu, Dr. Couturier, Gailliard, the cooper, Droz, the watchmaker, Mr. Rocheblave, Mr. Barbier, the jailer, Mr. Cousin, the brickmason, son of Mrs. Renne, Urban Paiche, called Francoeur, Mrs. Dupart (Dupard), who is a resident of the German Coast. Mr. Brazillier of the Bayou, Mr. Rousseve, interpreter for the savages, Captain Trudeau, Mr. Lanson, keeper of the Poor House. As Mrs. Dupard lives at the German Coast the interrogatorio intended for her is sent to the Commander there where her deposition is taken September 17, in the presence of Robert Robin De Lormel with Francisco and Charles Pierre Le Boeuf as witnesses. The answers of the other witnesses were taken down by the escribano in the presence of the Assessor General, Cecilio Odoardo, commissioned to receive them in the following order: Juan Bautiste Rousseve, Francisco Defeu, Urban Paiche, Joseph Barbier, warden of the prison, Abraham Droz, Vincent Rillieux, Pedro Couturier, Pedro Lanson.

September 16, Joseph Maison sets forth that Mr. Brazillier, resident of Bayou Saint John, and Charles Tarascon, resident of this city, have excused themselves. He prays that the sheriff be ordered to cause the latter to appear and that a writ of citation be issued to the former to appear within a short space of time. Unzaga on Odoardo's advice, rules that they are residents and can not inconvenience the Court without being guilty of contempt. Paraphed by both Unzaga and Odoardo. This ruling has the desired effect, because the witnesses appear and give the required answers. Raymond Gaillard,

Maria, the little negress, Charles Tarascon, Juan Bautista Brazillier, Mariana Clermont, and Mrs. Dupard all testify. September 17, Joseph Maison presents an interrogatorio for the testimony of other witnesses, viz: Nicolas Love, called Colin, the shoemaker; Mr. Liotau, Sr., the brickmaker; Jaquet, soldier of the Battalion; the negress Pelagia, Maria's sister. These answer in due time. This ends Maison's testimony against Vincent Rillieux.

This part of the record shows that on August 3, 1771, Vincent Rillieux, a prisoner in the Royal Prison, asked that Juan Bautista Benoit de St. Claire, who has been cited as a witness for Joseph Maison, be called upon to answer. First to testify if they were not both together on the 25th of last month without being separated from 4 o'clock in the afternoon until after supper, all joining in conversation together at his house with his family and Mrs. Clermont until half-past 10 that night. Secondly if it is not true that as soon as the conversation finished he went to bed in his own house in the same bed with Benoit and did not get up until the morning of the 26th. When this declaration is made file it with the escribano so as not to cause any inconvenience later and that these questions be put immediately as the witness is about to leave the city. This is granted and on the same day Juan Bautista Benoi(t) de St. Claire testifies to the first by saying that he knows Vincent Rillieux who lived on the other side of the Lake where their friendship began. The last time that he saw him in the city was the Sunday that he was arrested by order of Nicolas Forstall, that he thinks was the 28th of last month. He was with the accused from after mid-day until after supper. At about 5 o'clock of the same evening he took a walk to Mr. Bienvenu's, his grandfather, leaving Rillieux at home with his family. When he returned he found him there. They went to bed together in the same room in the same bed. That same night there were visiting in the Rillieux home Mr. San Martin's three daughters, and Mrs. Clermont, all related to the said Rilleux. To the second question he says that it is all answered in the foregoing.

Further proofs of Vincent Rillieux against Joseph Maison, include a certified copy of the proces verbal dated June 29, 1759, covering inquiries into the accidental death of a brother, Francisco Rillieux, and the testimony which was given by his brother-in-law, Mr. Lavigne. This proces verbal was taken before Jean Baptiste Raguet, member of the Superior Council, acting as Attorney General of the King, with the Clerk of the Council, accompanied by Mr. Gardrat, Surgeon in Chief of the Royal Hospital, and Mr. Guichuduc, Surgeon of the city, who went to Mr. Lavigne's where they viewed the body. Death had been caused by one gunshot wound of a ball of heavy calibre which entered the jaw on the right side and passed out

through the skull. No other wounds appeared upon the body. According to the testimony it appeared that on the day before the two brothers and their sisters were returning from the Indian village of Biloxi, about a league from their plantation, when the deceased and the witnesses separated from their sisters whom they told to meet them a fourth of a league farther on as they were going into the woods to kill a deer. The negro, Rene, went on ahead and started the deer and called to them that it was heading for their side. Francisco got up on a fallen tree holding his gun in his hand and leaning on it, at that moment the gun slipped from his hand, the trigger caught in some grass and the gun went off, killing Francisco instantly. The witnesses affirm this to be the truth on their souls and consciences.

Note: This proces verbal is given because Joseph Maison had accused Vincent Rillieux of having killed his brother.—L. L. P.

Vincent Rillieux also presented the interrogatorio upon which the following witnesses are to be examined, viz: Messrs. Jean Durel, Louis Boisdoré, Antonio Grieumard, Antonio Mermillion, Santiago Hallays, Thomas Rodriguez, Pedro Couturier, Andres Bodaille, Jean Baptiste Poeyfarré, Pedro Songy, Sr., Mrs. Mariana (Rillieux) Clermont, Francisca, Vincent Rillieux' mother's slave, Charles Tarascon, Andres Schiloc, the wood-dealer, Francisco Defeu, the little negro girl, Maria or Mariana, Santiago (Francisco) Jaquet, the soldier, and his wife, Maria Jaquet, Abraham Droz, Joseph Montegut and Mrs. Dupard. Besides the evidence of these witnesses Vincent Rillieux asks that all petitions and testimony previously given be included with his "proofs." The witnesses answer in the following order: Pierre Songy, Andres Bodaille, Charles Tarascon, Juan Bautista Poeyfarré, Antonio Mermillion, Antonio Grieumard, Santiago Hallays, Francisca, Mrs. Rillieux' slave, Louis Boisdoré, Francisco Defeu, Andres Schiloc, Jean Durel, Marianne Clermont, Pedro Couturier, Thomas Rodriguez, Francisco Jaquet, a soldier of the battalion, and Maria Jaquet, his wife. September 12, 1771, Vincent Rillieux asks for a declaration from his uncle, Alexandro Chenet, who lives at the German Coast, under the jurisdiction of Mr. Robin, and prays that a despatch containing the necessary instructions be sent to the said Commander. The despatch is issued and sent, and on September 14, 1771, Alexandro Chenet appears before Robert Robin de Lormel, Captain and Judge at Saint John the Baptist Parish of the German Coast, and declares that Maison's accusation that his nephew, Vincent Rillieux, threatened him with a gun is absolutely false. He has never had any difficulty with his nephew who has always shown him the proper respect, and that he could not do otherwise than praise him. This declaration is signed by Alexandre Chenet in the presence of Robert

Robin de Lormel before the following witnesses: Joseph Delomme, living at the Chapitoulas, Dauterive, Jean Baptiste Charbonnet, residents of St. John the Baptist Parish.

On September 19, 1771, Vincent Rillieux wishes to put four other questions to the witnesses, namely:

1st If they had known Joseph Maison in Canada and what was his occupation?

2nd If they (Mr. and Mrs. Maison) had returned to France?

3rd If his wife (Juanna Nicolle Lambert) was really his or was she the wife of one called Mr. Pierre, a soldier in Canada?

4th If he had not stolen this woman from her husband, Mr. Pierre, together with all his possessions, leaving him very poor?

Unzaga on Odoardo's advice, rules that these questions have no bearing on the case and hands down the following decision:

Judgment. In the city of New Orleans, on the eighth of October of the year one thousand seven hundred and seventy-two; Senor Don Luis de Unzaga y Amezaga, Brigadier of the Royal Armies, Intendant Inspector and Governor General of this Province for His Majesty: Considering these proceedings criminally prosecuted against Vincent Rillieux upon the denunciation made by Juana Maison that he wished to choke her on the night of Thursday, the twenty-fifth of July of the year just passed, with the testimony which has been duly received from all (witnesses) inasmuch as it has been deduced in full and attested by one and the other parties. Judgment: that I must declare and do declare the exceptions (defense) of Vincent Rillieux as well proven and in no manner the denunciations presented by Mrs. Maison and in consequence of it I must and should absolve him of the crime which has been attributed to him and I do condemn Mrs. Maison to pay the costs which must be satisfied by Rillieux, with reservations of the rights of said Rillieux against said Maison and his surety for the damages he has been occasioned by this cause and for this I provide definitely, judging with the dictamen of my Assessor General to whom must be assigned ten pesos assessor's fees which will be included in the taxation which will be made by the present escribano thus I ordered and signed.

Luis de Unzaga y Amezaga (paraph) Dor. Cecilio Odoardo (paraph)

Before me Andres Almonester y Roxas Es. Puc.

Taxation of costs, October 4, 1772. 229 pesos, 5 reales.

July 27.
Creditors of Joseph Maison vs. Salomon Malline.
No. 141. 19 pp.
Court of Governor Unzaga.
Assessor, Cecilio Odoardo.
Escribano,
Andres Almonester.

To render an account of the administration of Maison's estate.

The creditors of Joseph Maison, namely, Louis Ranson, Astier & Brunet, A. Olivier, Fournier & St. Pé, Juan Lafitte Cadet, Mermillion, Simon Chevcey, Lafitte Cadet for a bill of exchange to "our order," Juan Soubie, Mathurin Dreux for "our son Chantilly," set forth that Salomon Malline who has charge of the affairs of the said Maison, has never satisfied their claims. They pray that he be ordered to render an account of his administration of the said estate. Unzaga orders him to do so within five days.

August 3, the creditors state that Salomon Malline has not obeyed the Court's decree. They pray that in order to put this decree into execution two soldiers be placed in his house at his expense until he verifies the account. Unzaga on Odoardo's advice, rules that the account must be verified within three days with a warning of judicial compulsion.

August 6, Salomon Malline presents the account of his administration of Maison's affairs which were placed in his charge. The value of the estate amounts to 8454 livres, 15 sols, and asks to have this account approved. This is ordered sent to the creditors who answer on August 16, setting forth that they had received the account from Salomon Malline but without the vouchers. They ask that he be ordered to deliver all the papers that belong to the entries in order to compare them and to make the necessary "additions." Unzaga rules on Ordordo's advice, that an account is not properly rendered without vouchers, in consequence, within three days he must prove these entries to be correct and present the vouchers.

July 4, 1772, Salomon Malline says that he has come to an agreement with the creditors on condition that they pay the costs. He asks that these proceedings be dropped and the costs taxed. December 2, 1772, the Escribano, Andres Almonester, in the form of a petition, sets forth that in his office some costs have been incurred in a suit brought against Joseph Maison by his creditors and their syndic. He prays that these be ordered paid and to this effect he asks for a taxation of costs. Granted. Taxation made the same day at 30 pesos, 2 reales.

July 29.
Proceedings transmitted by the Lieutenant Governor of the Post of Natchitoches upon the arrest of some fugitive negroes and concluded in the Tribunal of the Governor General of this Province.
No. 126. 13 pp.
No Assessor.
Escribano,
Andres Almonester.

This record is written entirely in French and is made up of certified copies of the interrogatorios put by Athanare de Meziere, Lieutenant Governor of the Post of Natchitoches, to the fugitive negroes brought before him. The first to be questioned is Mariana, belonging to Mr. Tizerant, arrested in Mr. de Saint Denis' dairy. She gives her name and that of her owner and said that she had been a fugitive for about eight months from New Orleans. She had with her as companions a negress, a negro and a small child. She had been at Mr. Louis Harang's house where she remained a short while. When she met Mr. de la Gautrais's negro, Louis, he took her to the woods where she and the other woman have lived. Signed in the original by Messrs. Le Blanc Villeneufve, A. Charbonnrt, Roujot and Athanare Du Meziere.

The second questioned was Charlot, Mr. D'Inguimbert's fugitive slave, who has been absent from New Orleans for about 14 or 15 months and has spent the time with various persons. The third called is Gil La Rose, Mr. Cantrelle's fugitive slave, absent from New Orleans for about two years and has spent the time with various persons. The fourth to be questioned is Miguel La Rose, Mr. Bayou's fugitive slave, absent from New Orleans for about three months and has spent the time in different places but mostly in the woods. The fifth to answer is Jean Baptiste Raoul, Mr. Dubard's fugitive slave, resident of New Orleans, and absent from there for seven months. He has spent the time with other fugitive negroes in various places but mostly in the woods. The last called was Louis, Mr. La Cotraye (De la Gautrais, Jr.'s) fugitive slave, absent for about two years. These six "run-away niggers" seem to have been more or less together or have influenced one another to run away. They are finally captured when their passports are demanded at "Attakapas."

As each declaration is made it is read to the party under question who swears it to be the truth. None sign as they do not know how to write. All proceedings take place in the presence of A. Charbonnet, Le Blanc Villeneufve and Roujet as witnesses and Athanare De Meziere as presiding official. These confessions were taken July 29, 1771, and the certified copies made August 3, 1771.

On August 19, Unzaga rules: "Let them be cited for the final decision which belongs to the case and for this purpose let them be taken before the Assessor."

Judgment in the above matter: In the city of New Orleans, August 23, 1771, Don Luis de Unzaga y Amezaga, Colonel of the Royal Armies and Governor General of the Province, having seen the proceedings taken before the Lieutenant Governor of Natchitoches, Don Athanare Du Meziere, in connection with the examination of some fugitive negroes apprehended in the fields within his jurisdiction, the said negroes known as Carlos La Rosa, Miguel La Flor, Jean Baptiste Bou (Raoul) Luis and Mariana. His Lordship says that he condemns and does condemn them to the punishment of receiving 200 lashes at the foot of the gallows. The negro, Luis, because of his repeated flights, which it has been shown took place back in the time of the French Domination, will be treated with the full rigor of the laws and according to the customs of the country. Notify their masters that when they return they will be held in prison for a space of time not determined. Thus His Lordship provides on the advice of his Assessor General and thus he ordered and signed, to which I attest.

(Signed) Luis de Unzaga y Amezaga (paraph) Dor. Cecilio Odoardo (paraph)

Before me (signed)
Andres Almonester
y Roxas Es. no. Pu. co.

The escribano certifies that he notified the negroes, La Rosa Juan Migl. La Flor, Juan Bapta. Raoul, Luis, Carlos and Mariana, of the foregoing decree.

(Signed) Andres Almonester
y Roxas, Es. no. Pu. co.

The escribano further certifies: "I attest that the foregoing sentence was executed in conformity and as it was ordered, today, the said day, New Orleans, September the ninth of one thousand seven hundred and seventy-one."

(Signed) Andres Almonester
y Roxas, Es. no. Pu. co.

August 3.
Antonio Barnabe vs.
Bernardo Dauterive.
No. 137. 43 pp.
Court of Governor Unzaga.
Assessor, Cecilio Odoardo.
Escribano,
Andres Almonester.

Action by creditors to force surrender of debtor's property.

The plaintiff and the defendant's other creditors pray that he be ordered to make a declaration of all his possessions and that the deputy sheriff be sent to make him appear, as he can never be found in his house. So as not to confound this proceeding with the principal suit for executory process now pending in the Courts, he asks that it be filed under separate cover. Granted. On August 20, Bernardo Dauterive makes his sworn declaration that he owns a plantation at Barataria containing 43 arpents front with live stock such as

cattle and horses, but he does not know how many; a plantation in Bayougoula upon which there is a suit pending "through default of land," with live stock such as cows and also a dairy. At the "Atacapas" he owns land a league and a half front with about 6000 animals together with a dairy and its environs. A house in the city on Royal Street on a lot measuring 2½ arpents, also 12 or 13 slaves.

August 5, Antonio Barnabé speaking for Bernardo Dauterive's creditors, sets forth that he has removed 29 head of cattle and sold them to their detriment. He asks that his property be seized wherever found and placed with the General Receiver and to forbid the notaries to pass any acts of sale for the defendant's forementioned property, and that a despatch be sent to Mr. Dutisné authorizing him to seize anything that may be found belonging to Dauterive in Bayougoulas and when this is done transmit the original proceedings to the hands of the present escribano. Unzaga on Odoardo's advice, sends the despatch as petitioned, including this decree, to the Commander of the Post of Bayougoulas so that he may seize all Bernardo Dauterive's property, transmitting a statement of it to the present escribano and not to permit any of it to be alienated.

August 13, Juan B. Pomet and Antonio Barnabé say that execution has been taken on a house belonging to Dauterive, it is convenient to their rights that Perin Dortol (Pierre Dominique Perin Dortolle), wig-maker, who lives in the said house, declare under oath how long he has lived there, what rent he has paid monthly, and what he owes, and when his declaration is made have him place the rent due at the disposition of this Tribunal. This is granted in full.

August 14, Pedro Perin, under oath, declares that Bernardo Dauterive had permitted him to live in the house, rent free, on condition that he act as caretaker.

August 19, Mr. Dauterive's creditors state that he owns a dairy farm and other property at the Post of Opelousas which they ask to have seized by the Commander there and an inventory made of it, the property deposited with a safe person and the original proceedings transferred to the escribano to be verified. They pray for a despatch to be issued in due form. Unzaga on Odoardo's advice, rules "As it is prayed," to this end let a despatch be issued and sent with an enclosure of the foregoing petition and this decree. A marginal note says that the despatch which was ordered has been sent.

August 27, Mr. Dauterive's creditors state that in his declaration he has said that he possesses property in Atakapas (a plantation with a league and a half frontage and 6000 head of stock). They pray that a despatch be issued to the Commander there authorizing him to seize everything belonging to the defendant and to transmit the records of the proceedings to the escribano. Petition granted, and a marginal note states

that the despatch which was ordered has been issued. Certified copies of the despatches for the Commanders of Opelousas and Atakapas are filed with the suit.

August 29, the creditors say that they have already petitioned for a despatch to be sent to Mr. Dutisné to seize the defendant's property in Bayougoula, it has come to their knowledge that the said Commander is an intimate friend of the said Dauterive. They now pray that Antonio Olivier be commissioned instead, to make the necessary seizure and when this is done place it in charge of some one who will give an account when asked and send an inventory of the property to the General Receiver. Antonio Olivier is commissioned as petitioned. The commission is issued and sent.

September 2, Mr. Dauterive's creditors say that he owns a house on Royal Street in which Perin has been living rent free, they ask it be publicly called for rent and that when a tenant is found he place his rent money at the disposition of this Tribunal for the benefit of his creditors. Granted. The calls are made September 2, 6, 10 and 11.

September 4, the inventory of the Dauterive property in Bayougoula is made by Antonio Olivier in the presence of Mr. Louis Dutissentet (Louis C. Dutisnée) Commander of the Post, Enselme Blanchard, Sergeant of the Militia of this coast, Jean Baptiste Le Blanc, Etienne Jutan, preceptor at Mr. Charles Camon's house, Pierre Brasset, and Mathurin Richard. It is completed and signed September 13, 1771.

October 16, 1771, Fuselier de la Claire, Commander of Opelousas, makes an inventory and valuation of all of Dauterive's property found within his jurisdiction. This is made and signed in the presence of Andre Masse, Louis Grevember, Jean Bevvard, Louis Amant Broussard, and Fuselier de la Claire.

The record shows no further proceedings until July 7, 1773, when Francisco Broutin, as attorney for Bernardo Dauterive's creditors, sets forth that it was ordered by a decree of the Court that the defendant was to pay all costs but he has gone away without doing so and that he has sent to his brother, Mr. Dubuclet, many mules and horses that have been sold for Dauterive's account. He prays that the said Dubuclet be ordered to turn this money over to them. Unzaga orders all interested parties notified.

July 30, Juan Soubie, one of the creditors (the others named are Juan Durel, Juan Pomet, Antonio Brion, Dionisio Braud, Santiago Beauregard, Francisco Demazillieres, Santiago Dufresne, Antonio Dorval), sets forth that Dauterive has sent his horses and mules to Mr. Dubuclet to be sold to defraud his creditors. He asks that Dubuclet testify under oath just how many animals he has received from the defendant, to whom they have been sold and for what amount and if he still has in his possession any other live stock or other possessions of

Mr. Dauterive and to verify the truth of his statement as all the forementioned property has been attached in favor of the creditors. Dubuclet is ordered to swear and declare as petitioned and let the proceeds of the sale of the stock be seized and placed with the General Receiver.

August 2, the creditors say that Dubuclet has not obeyed the Court's order. He lives on Mrs. Bienvenu's plantation so they pray for a writ of citation. Granted, and on the following day Cler Dubuclet under oath declares that Bernardo Dauterive has transferred to him two horses for his own use, four mules and four ponies. The mules he sold to Agustin Marcati (Macarty), two, have not yet been "adjusted"; he is arranging the price for the other two with another person, and the ponies have not been sold.

August 11, Dauterive's creditors say that, as it will appear from Cler Dubuclet's declaration, Dauterive has attempted to dispose of some of his live stock which he should not do until all of his creditors have been paid because he has made an assignment of all of his property to them. As the price of the mules sold to Agustin Macarty has not been adjusted this proves that there was no sale. They pray that the four mules, four ponies and two horses be delivered to the General Receiver to be sold for the benefit of all the creditors. Unzaga on Odoardo's advice, rules; Notify Cler Dubuclet that within five days he must turn over to the General Receiver the animals mentioned in his foregoing declaration or their price with a warning that as Bernardo Dauterive's creditors have already petitioned, within one day exactly they will proceed with the principal suit "of the Concursus of Creditors." Assessor's fees, 3 pesos.

August 18, the creditors pray for citation proceedings as Dubuclet, who lives on Mrs. Bienvenu's plantation, has not obeyed the last decree. Granted, and the writ of summons is issued and sent by Pedro Cowley, who certifies to its personal service.

September 9, the creditors state that Dubuclet still fails to obey. The Court orders him to appear within two days with a warning of judicial compulsion.

September 10, the plaintiffs state that Dubuclet still fails to obey. They pray for a writ of citation to be sent to him at Mrs. Dreux's plantation, where he is now making his home. Granted. The writ of summons is issued and sent; Nicolas Fromentin certifies to its personal service.

November 5, the creditors say that Mr. Dubuclet still fails to obey the Court's order to turn over the live stock or the full price for them to the General Receiver. They pray that one of his negroes be seized and held in prison until the delivery is made. Granted. The record ends here.

August 5.
Julian Vienne vs. Mr. Macarty, Lifeguardsman of the French Troops.
No. 143. 5 pp.
Court of Governor Unzaga.
Assessor, Cecilio Odoardo.
Escribano,
Andres Almonester.

For. debt.

Plaintiff claims 198 livres on a bill which he has been unable to collect and prays for verification. Granted August 22. Mr. Macarty, Captain of the Life-Guards, acknowledges his debt. On September 17, Julian Vienne prays for a writ of execution. September 20, Unzaga on Odoardo's advice, orders the debt paid within five days with a warning that execution will follow. Pedro Rodier certifies for Mr. Vienne to the effect: "as cashier for Mr. Vienne I received from Mr. Macarty the sum of one hundred and ninety-eight livres which was demanded in this suit. Done for Mr. Vienne by Pro. Rodier." The record ends here without taxation of costs.

August 19.
Simon Leblanc vs. Juan Bautista Pomet.
No. 145. 8 pp.
Court of Governor Unzaga.
No Assessor.
Escribano,
Andres Almonester.

A creditor of a dead man sues another creditor for a share in the property of the decedent.

Plaintiff presents various exhibits.

1st. A bill dated November 7, 1770, for 280 livres, 12 sols, 6 deniers, and claims that Antonio Estornett owes him this amount for food and lodging and other things furnished to him. August 18, 1771, Mr. Verret, Commander of the Parish of Saint James of the Acadians, certifies that Antoine Estornett owes the above stipulated amount to Simon Leblanc in whose house he has lived for nearly a year. Signed at "Kabahan Nossée."

2nd. A receipt dated November 24, 1770, Signed, Joseph Blanchard, by which he acknowledges to have received from Antoine Estornett a quarter of leather for which he promises to pay a "quarter square" of cut maize.

3rd. A statement for the amount of maize he has received from different residents due to the account that Antoine Estornett owes him amounting to 37 livres, 10 sols.

4th. A certificate dated October 1st, 1771, signed Jacque Godin, by which he declares that he has seen the deceased Antoine Estornett, called Baraquet, ill at his neighbor Simon Leblanc's house. He further declares to know and to have seen with his own eyes at different times the difference of fare which was prepared for the deceased by Simon Leblanc. He goes on to state that after two or three years that he has seen the deceased in Mr. Leblanc's house, he has no knowledge that he ever gave anything in return for his board.

5th. A certificate signed by Philippe Lachaussee, Surgeon of the Acadian Coast, dated Kabhannossée, September 7, 1771, to the effect that Mr. Simon Leblanc had cared for Mr. Antoine Estournelle, called Baraquette (Estornett - Baraquet) in his house for five months at different times. To his knowledge he has given him food and proper, necessary care by day and night while ill with pneumonia during the entire attack.

With all the foregoing evidence to substantiate his claim the plaintiff petitions Governor Unzaga, setting forth that as his exhibits prove Antoine Estornett owes him 56 piastres, 1 escalin, for board and other things furnished as has been certified by the Commander, Mr. Verret. Estornett died a short while ago in the Hospital for the Poor, having left his house. He turned over some horses to be sold to pay what was due the plaintiff. In the meantime he has died and the contents of his trunk has been surrendered to another creditor, Mr. Pomet. Debts for food and care should be placed above all others and he prays to be classed as a preferred creditor and the horses sold for his benefit. Verret writes on this petition that the debt is 46 piastres, 5 escalins, and not 56 piastres, 1 escalin. August 25, Unzaga rules: Let the interested party prove the entries in the account presented, entrusting the verification of the statement to Mr. Verret, Commander, at his home.

September 9, 1771, Commander Verret declares that to justify the demand made by Simon Leblanc against the deceased, Antoine Estornett, he caused Joseph Laprade, who can not write, to appear before him, who certifies that he was the nearest neighbor and could see everything going on in Leblanc's house and can truthfully say that the demands are just. He lavished every care and attention upon the deceased, who never paid him anything. He gave a horse and a pig which were to be sold and the proceeds to go towards paying off his account. Unzaga rules: Mr. Pomet must come to an agreement with the petitioner within three days upon the claim which he has made for 46 pesos from the estate of the deceased, Estornett. Signed, Unzaga. Except for the two rulings, the record, which ends here, is written entirely in French.

August 29.
Alexandro Reboul vs.
Mrs. Duverges (widow).
No. 3966. 7 pp.
Court of Governor Unzaga.
Assessor, Cecilio Odoardo.
Escribano, Juan B. Garic.

To collect a bill.

The plaintiff presents the widow's note and an itemized bill and claims 116 livres, 3 sols, from the defendant and asks for her verification. Granted. September 19, the escribano reports that he notified the widow of the foregoing decree in person. She refused to take oath or to verify the note and accounts which have been presented and she does not wish to say whether or not she owes the money.

September 23, Alexandro Reboul asks for a writ of execution as the widow has refused to acknowledge the debt. This is sent to the Assessor for his advice. On the 24th the Court rules that the Widow Duverges be notified that within five days she must pay Alexandro Reboul the amount demanded in conformity to the note and statement he has presented.

October 15, the plaintiff reiterates his plea for execution as the defendant has not obeyed the foregoing decree. December 22, Unzaga on Odoardo's advice, rules: That if the widow does not comply with the decree of September 24 within one day put one of her slaves in prison. Assessor's fees, 10 reales. The record ends here.

August 30.
Joseph Valliere vs. the Morant (de Morand) Minors.
No. 3979. 175 pp.
Court of Governor Unzaga.
Assessor, Cecilio Odoardo.
Escribano, Juan B. Garic.

A curator seeks to relinquish his trust and asks that a curator ad bono and a curator ad lites be named for the minors.

This record contains a very perfect example of the Spanish procedure for the partition of an estate among minor and major heirs, as well as much valuable economic data.

Joseph Dauterive de Valliere, husband of Maria Felicidad de Morand, curator to his minor brothers-in-law, Carlos, Vincent and Luis Domeny de Morand, sets forth that it is convenient to him to be relieved of this curatorship. He has accounts he wishes to produce, he asks that a curator be named to receive the said accounts as the minors are now more than 14 years old.

The Court orders him to present the statement of his administration so that it may be approved. October 22, Unzaga on Odoardo's advice, rules: The accounts and vouchers have been presented, notify the minors to name a curator within one day to receive the said accounts with a warning that if they do not do so one will be officially appointed for them.

The vouchers consist of certified copies of the proceedings before the Superior Council beginning June 3, 1768, of the family meeting called to arrange for the repairs to be made on the minors' property and to build the necessary fences. The plans were drawn up and ratified by the Superior Council August 6, 1768. The price for repairs agreed upon was later considered in excess of the work actually done and the Superior Council orders a reduction by one-half. The rental of the plantation and live stock on a three-year lease for 9350 livres, dated April 14, 1765, to Mr. Chateaubeaudeau to be paid annually. This said property belonging to the community succession of Mr. and Mrs. de Morand (Catalina de la Chaise) leased in the interest of the de Morand heirs, Charles, Vincent and Luis Docmeny, and

Mrs. Dauterive de Valliere, according to inventory, rent paid annually. Mr. Chauteaubeaudeau takes possession of the de Morand property May 2, 1765.

De Valliere presents the notes, bills, receipts, etc., of the expenses incurred for his minor brother-in-law, the Chevalier de Morand (Carlos), also the accounts for Luis Docmeny de Morand. Among them are two school bills; the first dated November 10, 1769, is a receipt for 23 livres, signed, Dupard, for two months' schooling given to Docmeny de Morand from July 21st up to today and also for four quires of paper furnished him. The second, dated 1769, runs from February

(1768)	21st to May 5th, two and a half months at 10 livres a month	25	
(1769)	February 21st to July 21st, five months at 10 livres a month	50	
	6 quires of paper at 18 sols, 9 deniers	5	12s. 6d.
		80	12s. 6d.

Thereupon Carlos de Morand presents his birth certificate dated February 16, 1750, which stipulates that Charles de Morand was born December 27, 1749, legitimate son of Captain Charles de Morand and Marie (Catherine) de la Chaise. His god-parents were Mr. Dubreuil and Marie Marguerite Darensbourg, wife of Mr. de la Chaise Garde Magazin for the King. Signed: Father Dagobert. He says that it is evident from his baptismal certificate that he is 22 years old. His brother-in-law has asked for a division of the property which has come to them through the death of their father which they hold in common. He has no curator ad bono because his said brother-in-law wishes to be relieved of that office with some one else appointed to receive the account of his administration. He sees no reason for putting his affairs in the hands of a stranger, for though he lacks three years of arriving at his majority according to Spanish law, still he is quite capable of managing his own affairs as he can prove on the testimony of witnesses he would like to cite. He prays these be summoned and after hearing them he be granted his emancipation and the power required for the free administration of his own affairs. Unzaga orders the witnesses summoned to testify.

On the same day Francisco Duseau la Croix de la Mazelliere, Captain of the Battalion of Louisiana, Guido Dufossat, and Luis Dessalle, each in a separate declaration, certifies that Carlos de Morand has the capacity required to control and administer his own affairs though he has not attained the age required by law. October 17, 1771, Unzaga on Odoardo's advice, rules: Acting on the foregoing testimony he must and does qualify the person of Don Carlos de Morand so that for himself he can treat for the division of his property and take

charge of what is coming to him, administering it as its owner. Assessor's fees, 10 reales.

Upon this decision Joseph Dauterive de Valliere gives his account and sworn statement of his administration of his brother-in-law's estate. According to this said statement the Chevalier de Morand receives his one-fourth part, as he has gained his majority through a decree of the Court. He has hereby turned over to him his share. He asks that a curator ad lites and a curator ad bono be appointed to receive the shares of the other two minors, Vincent and Luis Docmeny de Morand.

October 22, Vincent and Luis Docmeny de Morand ask to have Santiago Hallays appointed their curator to receive the account of the administration of their property from their late curator. The said Hallays to accept, take oath and give bond and to take charge of their curatorship. Unzaga on Odoardo's advice, orders the curator named to be appointed, he must first qualify and when this is done the act of curatorship will be passed. Santiago Hallays qualifies, naming as his bondsman Francisco La Croix de la Mazelliere (Desmazellieres) who also qualifies. The act appointing the curator is executed and signed by Unzaga and Odoardo in the presence of Juan B. Garic.

November 15, Santiago Hallays de Verdun, Curator ad lites for the minors, Vincent Chevalier de Morand and Luis Docmeny de Morand, for the accounts produced by Joseph de Valliere co-heir and tutor to these said minors, declares that he has examined the account rendered with attention and has not found any errors of addition so it is no use to contest them. However, he will object to several of the items entered. He gives an itemized statement of certain expenses charged in de Valliere's accounts that have no place there, but as he adds, the difference between the two accounts is not great and as it is the season to prepare the land (for gathering the harvest), he asks that a division be made of the estate according to de Valliere's statement, and that the Court will approve it, interposing its authority and judicial decree, and order de Valliere to pay each one of the minors according to the approved statement.

December 13, Unzaga on Odoardo's advice, rules that de Valliere must turn over the records of his curatorship so that his representation may be proven. December 19, Santiago Hallays states that the records have been delivered to him in order to "promote what may be suitable." Upon investigation it seems that Joseph de Valliere owes the minors 9216 livres, 16 sols, 6 deniers, and as he is insolvent and their brother-in-law, no recourse can be taken against him for the continuation of his lease. He asks that witnesses be called to testify to the utility of his giving up the lease and putting the estate in the hands of an administrator. The Court orders the testimony received and the evidence sent to Joseph de Valliere.

December 20, Andres Bodaille, Luis de Bonrepos, and Pedro Songy each in a separate declaration, testifies that it would be to the advantage of the minors to take the lease away from de Valliere, who is insolvent, and because he is their brother-in-law they can have no recourse against him. It would be for their better interests to appoint another administrator for their property.

December 23, Joseph de Valliere answers that he has received the testimony given by the witnesses of his insolvency and the necessity of his giving up the administration of the property. He asks the Court to order the division made among the co-heirs. Unzaga orders this sent to Carlos de Morand, who answers January 15, 1772, that he is in accord with whatever the Curator of his minor brothers has done or may decide to do in the future. January 16, Unzaga on Odoardo's advice, rules: With the consent of all parties he removes Joseph de Valliere from the administration of the property belonging to the de Morand succession and dissolves the contract of lease made with him for the negroes and plantation. Let him be notified that within 15 days he must turn them over to the curator of the minors. Assessor's fees, 12 reales.

January 27, 1772, Joseph de Valliere says he has delivered the property over to the minors' curator and so as to make a division he asks to have a judicial appraisement made. He names for his appraiser Pedro Songy to put a value upon the estate, landed property, movables, slaves, etc., and that the curator be notified to name some one for his part. Unzaga on Odoardo's advice, rules: "Proceed to make the inventory as petitioned and appoint the appraiser as requested. Let the other parties name theirs so that the said appraisers may accept and take oath and when this is done the day will be set for the taking of the inventory." Pedro Songy qualifies on the same day.

On January 27, Santiago Hallays names appraisers for his minors in the persons of Alexandro Latil and Luis Ranson. The Court excuses Luis Ranson and appoints Alexandro Latil as he will be sufficient to act for both minors. Alexandro Latil qualifies January 29. The Court names the day following, the 30th of the current month, for the taking of the inventories which must be entrusted to the Assessor General, who will notify the interested parties.

January 30, beginning of the taking of the inventory of the de Morand estate in the presence of Cecilio Odoardo, who went to their plantation situated on Bayou Saint John Road, where a part of the property is located. He was accompanied by Leonardo Mazange, attorney for de Valliere; Santiago Hallays, curator ad lites for Vincent and Luis Docmeny de Morand; Carlos de Morand, co-heir, already emancipated as appears in the records; and the present escribano. After Alexandro Latil and Pedro Songy had taken oath to make the inventory and

valuation faithfully and well they proceed to the matter in hand. The estate consists of carpenter's tools, iron, land, houses, live stock, farm implements, carts and slaves. They then went to the other plantation three leagues away on the "Chapitoulas," taking with them by order of His Lordship the titles and documents belonging to the plantation. The inventoried property was turned over to Hallays to be held at the disposition of the Court. Signed, Cecilio Odoardo, Charles de Morand, Santiago Hallays, Leonardo Mazange, Alexandro Latil, Pedro Songy, Joseph Dauterive de Valliere. Attested before Juan B. Garic.

February 3, Santiago Hallays, February 5, Joseph de Valliere, and February 6, Carlos de Morand, each in a separate petition sets forth that the inventory and appraisement has been made and they pray for the Court's approval and judicial decree. Each petition is ordered to be sent to all interested parties and, on February 8, Unzaga on Odoardo's advice, rules that with the consent of all concerned he approves the inventory and appraisement and orders that the records be delivered to the curator of the minors so that he may promote what may be suitable. Assessor's fees, 4 pesos.

February 13, Santiago Hallays sets forth that in approving the valuation of the succession that has been made he wishes to call the Court's attention to the fact that in selling all the property and re-investing the annual revenue on this amount would not total 500 livres a year, which would not be enough to clothe and feed his minors. He asks that the negroes be divided into four equal parts and for this purpose he asks to name the same experts who made the valuation of the succession, or any other persons agreeable to the Court, to make the division of the negroes, which will be done in the presence of Cecilio Odoardo. When this is accomplished the share which will come to his minors may be leased out judicially so as to satisfy some of the debts his minors have contracted for clothes and board. He asks that the house and lot on St. Ursula Street, and the plantation measuring 8 arpents front in "The Chapitoulas" be sold for cash together with all their products. For what concerns the plantation on Bayou Road he asks that its sale be ordered with two years in which to pay, the purchaser giving bond for security. This to be done in order to facilitate the said sale in favor of any of the heirs who might wish to preserve the patrimony in the family. He further asks that the public calls for the sale begin without delay as delay is prejudicial to the interests of all heirs. Unzaga on Odoardo's advice, rules: "Petition denied nor is it the way to secure the estate."

February 19, Santiago Hallays asks that the public calls be made for the sale of the property in order to effect a partition in conformity to law. The Court rules to proceed with

the sale and to make the said public calls to fulfill the ends of the law.

February 20, Joseph de Valliere asks the revocation of the foregoing decree and instead they adjudicate to him at the price of their valuation the following negroes: Joseph, Hercule, Jacob, Felicité, Jeannette, Francisca, Panis, Bourguignon, Antoine, Madelonnette, Isabelle, Michel, Simon, Paul, Madeleine, Rosalie, Maria Jeanne, Catherina, Fachon Jacob, Tonton, Noel, Barbara, Niaouy, Seipion, Manon, Catiche, Genoveva, Maria Combas, Jean Baptiste, Mariana Seipion, Maria Juana, and the rest of the property called and sold in conformity to law. This is ordered sent to the other parties.

February 26, Santiago Hallays in answer to the foregoing says he consents to the adjudication, at the price of their valuation, of the negroes named by Joseph de Valliere. He prays that the adjudication of the slaves be effected and the public calls of the other property. This is ordered sent to the other parties.

March 5, Carlos de Morand answers de Valliere's and that of the curator consenting to their requests. He asks that the other negroes, Pierre, Luis Sans Soucy, Angelique, Mariefre, Marianne, Rene, Hypolite, Henriette, Petit Jean, Francoise, be adjudicated to him at the price of their valuation and that the remainder of the property be sold. This is ordered sent to the other parties.

March 7, Joseph de Valliere consents to the adjudication to Carlos de Morand of the negroes named by him and to the sale of the plantations, live stock and house. This is ordered sent to the other interested parties. March 12, Santiago Hallays consents to the adjudication of the negroes to Carlos de Morand as requested by him, and for the sale of the plantation, live stock and house. Unzaga on Odoardo's advice, rules: With the consent of all parties he adjudicates to Joseph de Valliere representing his wife, Maria Felicidad de Morand, the slaves petitioned for by him, and to Carlos de Morand those he requested. Both receive these slaves under the condition to answer at the time of the partition of the rest of the property. In consequence they are prevented from alienating any of them until the adjudication is verified when the remainder of the estate is called for sale as has already been provided by a previous decree herein. Assessor's fees, 2 pesos.

March 16, Nicolas Jurdin (Jourdan), public town-crier, calls first the house situated corner of Dauphine and St. Philip, second the plantation at the Chapitoulas, third the plantation at Bayou St. John. The second call for the three is given March 25, and the third call April 3. The day following Joseph de Valliere says the three public calls have now been made, he asks that day for the sale be named. Unzaga on Odoardo's advice, appoints Tuesday the 6th of the current

month as the day for the sale. Let the proceedings be entrusted to the present Assessor. Assessor's fees, 10 reales.

April 7, the plantation on Bayou Road, together with improvements, live stock, furnishings as per inventory, is put up at auction and adjudicated to Carlos de Morand for 2370 pesos, to be paid for within three years and agrees to give to his minor brother, Luis Docmeny, 5 per cent of his share. He obligates his person and present and future estates to meet the payment at the time of maturity. Signed: Dor. Odoardo, Santiago Hallays, Charles de Morand, Joseph Dauterive de Valliere, Leonardo Mazange. Attested before Juan B. Garic.

April 8, sale of the plantation situated two and a half leagues from the city ascending the river. It is adjoined on one side by Mr. Beaulieu's property and on the other by that of Francisco Langlois, measuring 8 arpents front by 40 deep as stated in the inventories. At the public auction sale it is adjudicated to Antonio Barnabé for 160 pesos cash. This money to remain at the disposition of the Court. The purchaser does not sign as he does not know how to write. His signature at his request is made for him by his neighbor, Luis Liotau. Signed: Dor. Odoardo, Santiago Hallays, Lionardo Mazange. (As witness for signature of purchaser) Luis Liotau, Charles de Morand. Attested before Juan B. Garic.

On the same day, April 8, the auction sale of the St. Philip Street house situated at the corner of Dauphine, running back to the fortifications of the city. The house is in ruins for having been closed. No bids were offered so the house was withdrawn and offered again the day following and again on April 26, with the same result.

June 1, Unzaga on Odoardo's advice, rules that as no bids were made for the house in the city after it had been offered three times, he adjudicates it to the four heirs at the price of its valuation. Let the ground be divided into four equal parts. As the rest of the property has been disposed of, let the partition be made by the present escribano. The costs of the case are taxed at 225 pesos, 2 reales, on September (no day), 1772.

The entry immediately following the taxation of costs is dated July 11, 1772, and is the partition of the estate of Carlos de Morand and of his wife, Catalina de la Chaise, both deceased, among the heirs, Maria Feliciana (Felicidad) de Morand, wife of Joseph Dauterive de Valliere, Carlos de Morand, Vincent de Morand and Luis Docmeny de Morand, in conformity to the provision of the foregoing decree.

September 5, 1772, Leonardo Mazange sets forth that he has drawn up for de Valliere a statement of accounts which has occasioned much labor because it had to be verified by both the old and new inventories so as to be put in proper order. In consideration of which he asks that the Assessor

order that he be rated for a larger fee in the taxation of costs. (In the table of costs he was to receive 167 reales for eight assistances and eight petitions.) The Court rules as it is prayed and on September 5, 1772, Odoardo (without Unzaga's signature) rules: In fulfillment of the foregoing decree, let the work be taxed done by Leonardo Mazange in drawing up the accounts made for Joseph de Valliere running from page 74 onward, as six assistances.

September 7, Joseph de Valliere says he has no complaint to make against the partition and that he approves it in its entirety. He prays the Court to approve and to interpose its judicial decree. This is sent to the other interested parties. September 9, de Valliere says that Luis Docmeny is a minor less than 25 years old and that he has no one to represent him in these proceedings, as the one he had is absent from the Colony; he asks that a curator be appointed for him within a short space of time. The Court orders Luis Docmeny de Morand notified to appoint a curator ad lites within one day who can take charge of these proceedings with a warning if he does not do so one will be officially appointed for him.

September 10, Carlos de Morand says he has examined the accounts for the partition and has nothing to say against it. He asks the Court to approve and to interpose its judicial decree. This is ordered sent to the others.

September 11, Vincent de Morand says he has examined the accounts for the partition and has nothing to say against it. He asks the Court to approve and interpose its judicial decree. This is sent to the other interested parties.

September 15, Unzaga on Odoardo's advice, rules: That with the appointment made by Luis Docmeny de Morand of Alexandro Latil as his curator ad lites, let the latter be notified to accept, take oath and give bond in due form and the said appointment of curatorship having been made, let him take charge of the proceedings pending. Alexandro Latil qualifies and names as his bondsman Carlos de Morand who also qualifies. Whereupon Unzaga on Odoardo's advice, appoints Alexandro Latil curator ad lites for Luis Docmeny de Morand and on September 24 in his said capacity Alexandro Latil says that upon the examination of the accounts for the partition he has nothing to contradict as it is made in conformity to law. He asks the Court to approve and interpose its judicial decree.

September 25, Unzaga on Odoardo's advice, decrees that with the consent of all parties he approves the partition of the property according to the schedule sent to each one of the heirs and he decrees that the same be binding on all parties, and that a taxation be made of these last proceedings by the escribano which will be paid for from the mass of the estate with assessor's fees of 2 pesos for this ruling. The second taxation, dated September 27, 1772, amounts to 31 pesos, 3 reales.

October 19, 1772, Alexandro Latil says that there is a note signed by Mr. Delery when tutor to the minors in their favor and, as this note belongs to them, he asks that it be returned to them to be used when due. Unzaga orders it returned and a memorandum made of its receipt.

October 19, 1772. Note: We have received from Juan (B. Garic) the note (removed from page 6 of this record) in favor of the heirs of the deceased Carlos de Morand for 1155 livres by Francisco Delery, dated New Orleans, October 31, 1770.

(To be continued.)

STATEMENT OF THE OWNERSHIP, MANAGEMENT, CIRCULATION, ETC., REQUIRED BY THE ACT OF CONGRESS OF AUGUST 24, 1912, of the Louisiana Historical Quarterly, published quarterly at New Orleans, for April 1, 1926.

State of Louisiana, Parish of Orleans, ss.

Before me, a Notary Public, in and for the State and parish aforesaid, personally appeared Henry P. Dart, who having been duly sworn according to law, deposes and says that he is the Editor of the Louisiana Historical Quarterly and that the following is, to the best of his knowledge and belief, a true statement of the ownership, management, etc., of the aforesaid publication for the date shown in the above caption, required by the Act of August 24, 1912, embodied in Section 443, Postal Laws and Regulations, to-wit:

1. That the names and addresses of the publisher, and the editor, are:

Publisher, The Louisiana Historical Society, The Cabildo, New Orleans, La.; Editor, Henry P. Dart; Managing Editor, None; Business Manager, None.

2. That the owners are The Louisiana Historical Society.

3. There are no stockholders, but the officers are: Gasper Cusachs, Pres.; Edw. A. Parsons, 1st V.-Pres.; Andre Lafargue, 2nd V.-Pres.; Jas. A. Renshaw, 3rd V.-Pres.; Wm. O. Hart, Treas.; Henry P. Dart, Archivist and Editor; J. Mitchell Pilcher, Recording Secty.; Hy. M. Gill, Corresponding Secty.

Sworn to and subscribed before me this 23d day of March, 1926.

JOHN DART, Notary Public.
(My commission expires at death.)